

HONGKONG.

PRAYA RECLAMATION SCHEME.

(1.)

(*Mr. Chater to Acting Colonial Secretary.*)

HONGKONG, 13th July, 1887.

SIR,

I have the honour to submit to His Excellency the Officer Administering the Government a project for the reclamation of the foreshore extending from the Gas Works near West Point to the Swimming Bath at Government Wharf.

It is generally recognized by those who are professionally competent to judge, including the Surveyor General of the Colony, that the silting up of the entire foreshore of the City of Victoria, due to a great extent to natural and unavoidable causes, is going on upon a scale so extensive as to make it impossible to prevent or even partially arrest the evil by the employment of steam dredgers, and that, therefore, the only alternative left to the Colony is to convert into healthy dry land the belt of noxious black mud foreshore which at present poisons the whole of the neighbourhood with its pestilential exhalations during the hours of low tide.

His Excellency General CAMERON, who, since his assumption of the Government, has manifested so keen an interest in the initiation of sanitary measures, will not fail to appreciate the enormous benefit to the Public Health which would accrue from the removal of so grave a danger to the Community as that presented by the actual condition of our Praya foreshore.

But this project of proposed new reclamations will recommend itself to His Excellency's approval on grounds equally important, *i.e.*, the increased room which it will throw open for new buildings and dwelling houses, and the consequent relief that it will afford to the present overcrowded condition of the City in the very centres where that overcrowding exists.

The project aims at pushing out into deep water the entire Marine frontage of the City of Victoria, at present left for the most part high and dry at low tide, and by placing the new Praya Wall 250 feet, on an average, outside of the present Praya, thus securing an average depth of twenty feet of water along the sea-wall even during the lowest tides, and thereby giving ships of fairly deep draught access to the proposed new quays along their whole extent. I have now had for some years considerable practical experience of sea reclamations in Hongkong, having been instrumental in the carrying out of large works of this kind in equally deep water at Kowloon, Sheklongtsui, and Kennedytown, and my opinion that the present project may be realized without any engineering difficulty is fully confirmed by the Surveyor General, whom I have professionally consulted.

A work of the magnitude here suggested may perhaps at a first glance be deemed far too ambitious, and His Excellency may consider it too costly for the resources of the Colony, but the chief feature of the scheme is that, while benefiting the Government and the community at large, it may be effected without involving the expenditure of one single dollar of public funds, unless the Government desires to participate also in the reclamations in respect of such of its own properties as are situated along the Praya, and for which I estimate it may obtain at auction sale a net profit of no less than \$1,500,000 after paying all expenses attendant on the work of reclamation.

In Hongkong, land has now attained such high values, in consequence of the increased prosperity of the Colony and the influx of population, that it is found remunerative even to reclaim sites from the sea at great expense to the owner.

The Honourable F. STEWART, LL.D.,
Acting Colonial Secretary.

I estimate that the average cost of the reclamations will in no case exceed two dollars a square foot when all expenses are paid, while not a square foot of the new land will sell for less than four dollars a square foot, and by far the larger proportion will realize from twelve to fifteen dollars a square foot. I am sanguine, therefore, that if the Government were to lease to the Marine Lot-owners the areas which they would be able to reclaim under the present project, they, or the majority of them, would be willing to come forward, and by carrying out the work at their sole expense, achieve free of cost to the public, the greatest sanitary improvement of which the Colony has ever stood in need.

To secure the co-operation of the Marine Lot-owners, however, in a great health reform like this, it would be necessary that the Government should, consistently with its practice in all previous cases of sea reclamation by private enterprise, not surcharge the new land to be made with any premium. To levy a premium on ground made artificially by them at so heavy a personal cost, would be to deprive the Marine Lot-owners of the fruit of their labours, and might throw cold water on a project from which so much good is to be anticipated to the whole community.

His Excellency the Acting Governor will, moreover, recognize that in surrendering to Government a large proportion of their reclamations, for the purposes of roads and streets for the general use of the public, the Lot-owners would be paying more than the equivalent of a fair premium. But the Government would not remain pecuniarily unbenefited from the labours of the Marine Lot-owners, for the yearly Crown Rent of an area so large as to extend from the Gas Works to the Cricket Ground, would amount to a very large sum, and in addition, the rates and taxes to be derived from the buildings that would soon cover this great expense of new land would create a still larger annual revenue. Viewed financially, therefore, the reclamations would be no less beneficial to the Public Treasury than they would be from a sanitary standpoint to the community generally, and it is this combination of advantages to the Government, to the Public, and to the Marine Lot-owners, which convinces me that the project must compel His Excellency's hearty approval.

I will only add that, in the event of these proposals meeting with a favourable reception from the Acting Governor, I would be happy to give any further explanations that may be required on the details of the project, or to assist in furthering it by placing myself in communication with the Marine Lot-owners interested, and obtaining their co-operation on the terms which I have here set forth.

I have the honour to be,

Sir,

Your obedient Servant,

C. P. CHATER.

1. I have carefully considered Mr. CHATER's scheme, and have prepared a plan of it to accompany this report; shewing tinted red those reclamations which would devolve on the Marine Lot-owners and tinted yellow those which would devolve on the Government. From the first I have thought Mr. CHATER's project deserving of favourable consideration, for it holds out, as he observes, advantages to the Government, to the Marine Lot-owners, and to the Colony generally.

2. Under this scheme I see the Government stands to realize a clear profit of over one and a half million dollars from premiums to be derived by the sale of the areas tinted yellow to be reclaimed in front of:—

- (i.) The Cricket Ground.
- (ii.) The City Hall.
- (iii.) The Central Market.
- (iv.) The area opposite Lot 63.
- (v.) The Harbour Master's Office.

All these are the property of the Crown, and this is the reason why the reclamation of the sea along their fronts would devolve on the Government, and why the land thus artificially made would become the exclusive property of the Crown.

3. Besides the one and a half million dollars from premiums, the public Rent-Roll will further benefit to the extent of \$25,000 a year from the Crown Rents to be collected on the 32 acres of new building-sites.

4. The reclaimed land will be so valuable that it will not remain long vacant. Covered with buildings it will bring in to Government an additional \$60,000 in Municipal Rates making the total annual revenue to Government from the reclamation \$85,000.

5. Briefly summed up, the financial advantages to Government from the reclamations will be: land to the value of \$1,575,000, and a revenue of \$85,000 a year in Crown Rents and Rates derivable from private reclamations. There will be some additional advantages in the formation of further sites outside the town. These are dealt with in paragraph 22.

6. The population generally will benefit by the very large areas of new building-land which it is proposed to throw open for the erection of houses in the very centres where overcrowding prevails. This to my mind is even a more important recommendation than the financial advantages set forth in the preceding paragraph, for nothing can take precedence of the claims of the Public Health.

7. The relief to the present congestion would be very great. The proposed reclamations comprise 59 acres. Of this area, I would recommend that 27 acres be reserved for new roads and streets leaving 32 acres of building land. 32 acres will accommodate 1,320 tenements with house-room for 39,000 people or will provide roughly speaking for 5 years' influx of people.

8. A new sea-wall along deep water will furthermore remedy the present offensive condition of the foreshore. The present Praya foreshore is in a worse condition than the Thames before the embankment between Westminster and the City was built.

9. With increased population there will of course be increased traffic. The present Praya roadway is already too narrow; the pedestrian is scarcely able to proceed along this thoroughfare without being impeded and jostled by the crowd at every step, but this scheme will enable the width of the leading thoroughfares to be increased and adapted to future demands.

10. To a great shipping emporium like Hongkong a continuous granite quay running continuously for two miles in 20 feet of water will prove the greatest of boons, because it will facilitate the landing and embarking of cargo at all times of tide and at all points along the line. At present the transfer of cargo to and from the lighters is much hindered during the hours of low tide by the shallowness of the water.

11. The Marine frontagers would benefit by the mere fact that they would acquire extensions to their present lots at something between \$2 and \$3 a square foot, *i.e.*, the cost of their reclamation, and because they would be able to command for these same extensions prices varying from \$4 to \$10 a square foot.

12. As far as any one can hazard an opinion without a previous detailed estimate of the cost of the foundations (which would depend on the nature of the sea-bed) I should say this reclamation would be feasible at an outlay of about \$2 to \$3 per square foot of land left available for building after deducting the areas necessary for new streets.

13. The scheme does not present any serious engineering difficulty. The design of the proposed new breast-wall may be the same as that adopted in 1877 when the Praya was re-built. *Pierre-perdue* foundations may be used provided the blocks on the outer slope average at least a yard cube. This form of foundation would be inadmissible if the work were exposed to the impact of ocean waves, but the harbour of Victoria is land-locked, and in the absence of any offing or reach of sea, there is no undue exposure to high waves capable of clawing down the rubble mound. An embankment-wall on *pierre-perdue* foundation that in England might be classed as a better sort of river-wall, may, as far as I am able to judge at the moment, be ventured on, but this point will require careful investigation. It is an important point, for the adoption of the expensive form of ordinary foundations for sea-walls exposed to the ocean, *i.e.*, piles with concrete in mass, or concrete in blocks lowered into place would so seriously add to the cost as to discourage the Marine Lot-owners from embarking in the scheme.

14. In 1865 this Government built a short section of 900 feet of Praya wall in the vicinity of Wing Lok Street, and founded the masonry in 20 feet of water on a *pierre-perdue* mound. This wall has stood over 20 years, without so far indicating any sign of weakness. Settlements there have been as was to be expected, but the coping was raised and the level has always been maintained. This wall withstood the great typhoon of 1874, and was one of the few sections that showed no injury to the foundations, and it may be accepted therefore as practically demonstrated that the storm-waves in the harbour of Victoria have not the force to undermine the *pierre-perdue* substructure if built to an adequate slope with large blocks. An additional circumstance favourable to *pierre-perdue* foundations is the fact that the sea-bed is silting up by reason of the great quantities of detritus washed down every year, (during the tropical storms of summer) from the mountain range behind the town, and that there are no tidal currents in the harbour likely to be induced by the change of coast line or likely to scour out the sea-bed.

15. The Lot-owners expressed wish to be allowed to carry out the reclamation themselves through their own Engineers cannot be entertained. The Government must insist on the work being executed by its own Engineers for the reason that the subsequent maintenance of the structure will remain as a permanent charge on the Government and not on the Marine Lot-owners. It is the Government therefore that is most interested in securing a degree of stability that will preclude any later recurring outlay in maintenance.

16. The great business activity of the port, and the yearly increasing shore-traffic require that a wide marine roadway should be made. I would stipulate for nothing less than 75 feet of width, but of these 75 feet I would allow the owners of frontage to utilize 10 feet with their verandahs and arcades over the public foot-path (*i.e.* Government land) leaving 65 feet for vehicular and chair traffic and for the landing and embarking of cargo.

17. The proposed City tramways could not be conveniently built along the proposed new embankment, for the cars would have to run athwart an incessant cross traffic between the lighters and the warehouses. The tramways would be far better placed along the present Praya which would become an inland thoroughfare. To admit of double-lines of tramway without danger of inconvenience to the public a minimum width should also be stipulated for in respect of this thoroughfare. I would insist on a width of 75 feet again allowing the frontagers on both sides 10 feet for their verandahs and arcades over the public footpath, and leaving 55 feet from kerb to kerb for the tramways and carriage traffic.

18. A glance at the map will show that the proposed new reclamations will form nothing less than a new town, and the repetition in this new town of the narrow lanes that disfigure the old town should be carefully avoided. We want wide streets for light and ventilation and to prevent the spread of fires. Wide streets are all the more a necessity to us, that there is a tendency now among builders, owing to the increased value of ground, to add to the height of houses, and it is certain that four and five storied houses will become the rule. In laying out new streets these eventualities should be considered. Taller houses and increased traffic demand that no main artery of traffic be less than 75 feet wide and no cross street of any importance less than 40 feet wide.

19. The length of the proposed sea-wall will be 3,400 yards or nearly 2 miles. Of this length the frontagers will have to pay for 2,800 yards and the Government 600 yards. These 600 yards represent the frontage of the Crown lots tinted yellow. I am informed that if the Government would not care to go to the expense of embanking the 600 yards the Lot-owners themselves would be glad to relieve the Colonial Treasury of this charge on condition of their keeping the land reclaimed. Such a relinquishment of its own rights, however on the part of the Government, would be equivalent to making the frontagers a present of no less a sum than one and a half million dollars.

20. Mr. CHATER who has gone very minutely into the matter calculates the cost of the sea-wall, including sewer extensions and all contingent masonry-work at \$300 per yard lineal of sea-frontage. My own opinion is that the cost will be more like \$360 per yard lineal, and at this higher figure, I estimate the 600 yards of wall would cost the Government \$216,000. From this I deduct \$50,000 for the stone available from the present old wall, reducing the Government outlay on masonry works to about \$166,000.

21. With regard to the cost of filling in behind the 600 yards of wall for the formation of the five sites shewn tinted yellow on the map, and which comprise an aggregate area of 300,000 square feet I am of opinion that it will not exceed \$179,000, or say in round numbers \$180,000 making a total Government outlay on works of \$346,000.

22. A light railway may be laid along the Praya from the Sulphur Channel to the Gas-works, at which point the new reclamation begins. The Kennedytown cliffs and steep hillsides fronting the Sulphur Channel may be excavated down and the material (red loam) used for the filling in, the cliff excavations along Sulphur Channel being so conducted and finished off as to leave level building sites for auction sale on the completion of the works. In this way I calculate that an area of 300,000 square feet of hillside may be excavated down and levelled at Kennedytown and left available for auction sale after the reclamation works are finished. The sale of these additional 300,000 square feet of levelled sites would at \$1 a square foot yield the Government another \$300,000 in premiums and \$7,200 a year in Crown Rent, and to the latter figure may be added subsequently about \$10,000 more for rates and taxes on buildings. The total profits to the Colonial Treasury from Kennedytown excavations will be therefore as follows: proceeds from land sales \$300,000, and subsequent yearly revenue \$17,200. These profits are of course additional to those set forth in paragraph 5.

23. It should be made clear to the promoters of this scheme that although the Government will carry out the works, the cost of administration, of railway, plant and rolling-stock, machinery, and all contingent expenses must be borne by them and the Government respectively in the relative proportions of the areas which it will fall to each to reclaim, and that any stone and old building materials available from the present wall will be retained for itself by the Government and utilized on those sections of the proposed new wall which the Government will build on its own account. This arrangement is only fair, since it was the general rate-payers who paid for the old stone and who are therefore entitled to the benefit of it in the new works.

24. In this Colony extensions to marine lots have always been allowed by reclamation from the sea provided the lot-owner carried out his reclamation in accordance with plans approved by the Government. No premium has ever been charged for such extensions. The Government has always contented itself with the increased Crown Rent corresponding to the area reclaimed. Sir HERCULES ROBINSON and Sir JOHN BOWRING dispensed with money premiums, and deemed it best to satisfy themselves with the yearly Crown Rents. The largest reclamations were made during the administration of these two Governors, and their policy seems to have been adhered to and continued by their successors.

25. But though premium may have been dispensed with in money, it has in reality always been claimed in land as an equivalent of money, and the frontagers have been permitted to make sea reclamations only on condition of their surrendering to Government a portion of these for public use in the shape of roads and streets.

26. It is to this precedent doubtless that Mr. CHATER alludes when he pleads an exemption from money premium. Mr. CHATER says in his letter he fears this charge might throw cold water on his project and frustrate its realization.

27. As the total area of sea proposed to be converted into land is 59 acres and as only 32 acres will be kept for building on, and the remaining 27 be given up to Government for roads and streets, it will be seen that already the Government takes largely from the lot-owners in land in lieu of money, and if past Governments in order to encourage and promote the creation of new building sites for the growing city, have deemed it politic to levy no premium on sea reclamations. I think the same policy should with greater reason be observed now, for never were inducements for the creation of fresh building land more required than at the present moment. The City which is hemmed in by an almost perpendicular wall of mountain at the back and by the sea along the front has already become dangerously congested, and finds itself in the direst need of room for expansion. For this reason, any and every reclamation scheme that will give more room should be welcome to Government.

28. Touching the question of annual Crown Rents leviable on the proposed new sea lots: it is necessary to explain that the present marine lots along the Praya having been sold at different periods, there is no uniformity of rate in the rents which have been charged. Sites sold in the earliest times of the Colony when land was a drug still pay the miserably small rent of former days. As the island became more populated and some demand for building ground along the sea-board arose, rents were raised, and continued to be raised at each successive auction sale of land. We see therefore the greatest disparity in the rates of Crown Rent paid by different lots, some paying four times as much as others. I do not think this disparity should be continued in the proposed new sea lots. I am of opinion these should pay one uniform rate of rent along the entire line of shore. I would rate them all at the maximum, *i.e.*, \$200 per quarter acre per annum. This will make an aggregate Rent-Roll of \$25,000.

29. As inland lot leases in this town are, generally speaking, not so valuable as marine leaseholds, it is not impossible the promoters of this reclamation scheme may upon its completion, appeal to Government to transfer their present Praya lots to the category of inland lots with reduced annual Crown Rent. If such an appeal were made there would be but one reply and that in the negative, for the depreciation of the lots situated along what is now the sea (if any depreciation occurred at all) would be due to the deliberate act of the lot-owners themselves in having interposed new land between their present frontages and the harbour. It will be better to stipulate beforehand therefore that no request of the kind, if made, will be granted. But so far from being depreciated my own conviction is that the present value of the inner row of lots will be maintained if not enhanced by the proposed new reclamations for if the scheme is realized the inner road (at present the Praya) will front a great and important main avenue of noble width, nearly as wide as Regent Street in London with double tram-lines and enormous business traffic. Indeed I am disposed to view this proposed new inland avenue as a more important thoroughfare for shops and business premises than the proposed new marine embankment itself, and to estimate the value of frontages on the avenue at the same, if not a larger figure than the future Praya frontages.

30. Last but not least comes the important provision that must be made by Government for securing that the 32 acres of reclamation shall be built upon subject only to such sanitary regulations as may be laid down or to such lease conditions as the Government shall dictate. If left to themselves the native landlords will speedily cover the embanked lands with fever dens of the usual Hongkong type. It will be deemed a great hardship if the Government insists on light and ventilation, or on 15 foot back yards, and such other requirements as will fit the proposed new tenements for human habitation. But on this point the Colonial Government will, I apprehend, be as firm as a rock.

31. Mr. CHATER's scheme does not extend further east than the Central District of Victoria. He stops short at Murray Pier because Murray Pier is the boundary line of the Naval and Military premises, and because, obviously, it is no use considering reclamations in the Eastern town, as long as the Eastern town remains cut off from the larger and far more important Western town by the absence of any Praya Embankment.

32. The continuation of the Praya along the foreshore in front of the Naval Yard and Military Cantonments has been attempted by every Governor since the days of Sir RICHARD MACDONNELL. Each Governor has failed and these failures are deplored in the Colony as public calamities. It is felt that a great and populous city like Victoria should not continue to be subjected year after year to such a grievous hindrance to its progress and prosperity as arises from the inability of the Imperial Departments in London to make any concession to the Colony in the matter of this Praya junction.

33. The connexion of Eastern and Western Victoria by a marine embankment has, however, with each successive year become a matter of so much greater importance to the commercial prosperity of the Colony and not only to its prosperity but to the health of its people, that it is to be hoped Her Majesty's Government will not remain much longer inactive in the matter. Our present overcrowding, if it continues, must eventually culminate in some terrible epidemic that will move all England. We must find more building room for the population or else shut out the yearly influx from China. The people cannot be driven to build in the Eastern town for it is severed from the Western Districts where mostly lie the avocations of the trader and the work of the labourer, and where the shipping are anchored, but if the Eastern town could be joined by a marine embankment to the Western town and thus enable a tramway to be laid along the entire sea-board, the people might be induced to settle in the Eastern town by these facilities of communication, and the Government would thus be able to avert those dangers to the Public Health which are clearly looming in the distance.

34. It is well known that the War Office is in great want of further building room for barracks. The Praya junction project supplies this military want in the most complete manner by the formation of nine acres of immensely valuable building land. The value of these nine acres of reclamation at current rates is \$1,568,160. The War Office will not contribute towards the building of the Praya junction or towards the reclamation, but at the same time the War Office has stated that it desires to keep all the land which the Colonial Government will reclaim at the cost of the local ratepayers. In other words the War Office contemplates receiving land to the extent of over one million and a half of dollars, but will not assist in any way towards the realization of the work that is to benefit it to this extent. If the War Office will not contribute its share of the cost of the Praya junction, then the least it might do, would be to let the Colony retain for auction sale as much of the land reclaimed as would at all events reimburse the cost of building the Praya embankment opposite the Cantonments.

35. The case is different with the Naval Authorities. The Lords of the Admiralty have said "the interposition of a Marine embankment between the Royal Naval Yard and the sea will detract from the efficiency of the Naval Establishments, and we are not therefore favourable to the scheme; under any circumstance we will not contribute anything towards its realization." This objection however has now been met on the part of the Colonial Government by offering to carry the marine embankment on a series of overhead arches along the Naval Yard frontage so that access to and from the beach would not be in any way obstructed. The proposition met with the approval of Sir WILLIAM DOWELL, when he was Commander-in-Chief in the China Station, and was I believe recommended by him to the Admiralty, but I am not sure that it was accepted by my Lords Commissioners. The attitude of indifference, if not disfavour, to the Praya junction scheme adopted by the Admiralty is however readily intelligible, for Naval interests will derive no marked financial benefit from the scheme, but what is not easy to understand is that the War Office should not have appreciated the advantage of co-operating in a scheme which enables it to become possessed of building land to the extent of nine acres fitted for barrack sites and bearing a market value of over a million and a half of dollars, a sum to be easily obtained should the Military Department ever wish to realize. I say nothing of the advantage to the Arsenal of deep water for the landing and embarking of military stores, or of the sanitary boon which the conversion of the present noxious mud foreshore along the Cantonments into a healthy sea-frontage would prove to the Garrison.

36. When the question of the Praya junction between Western and Eastern Victoria has been settled with the War Office, and communication established between the two towns the larger question of sea-reclamations along the entire Eastern

foreshore from the Arsenal to East Point may be profitably considered. In connexion with these proposed Eastern reclamations I submit herewith a plan by which it will be seen that 90 acres may be recovered from the sea, of which 56 acres may be made available for house building, the remaining 34 acres being left for roads and streets. The 56 acres of new reclamation would accommodate 2,240 tenements capable of housing 67,000 people. The Eastern reclamation must however be viewed as a second instalment of the Western scheme, and can only be embarked in, after the Colony has secured a connexion between the East and West by means of a Praya embankment along the Cantonments. It will be premature therefore to discuss the Eastern scheme here.

37. The only question that now remains to be considered is how and to what extent will so much new building land thrown on the market, affect current leasehold values in the City? The answer is obvious: it will not affect present house-property materially, if at all, for after all, Mr. CHATER's project gives room only to 39,000 people. The present influx from China is at the rate of 8,000 persons a year, and as it would be five years before the houses were built and ready for occupation under Mr. CHATER's scheme, the latter will not do more than give house-room to the influx that will have accumulated during the five years of construction. In other words, if Mr. CHATER's project is realized by 1892, and that by that year 1,320 new tenements have been added to the present number of houses, those 1,320 new tenements will represent only the additional accommodation required for the 39,000 or 40,000 fresh arrivals which we must expect between 1888 and 1892. Therefore notwithstanding the reclamation with its 1,320 new dwellings we shall be in precisely the same plight that we are at the present moment. But what a worse plight shall we be in, if by 1892 we have not these 1,320 new dwellings wherein to house the 39,000 or 40,000 people that are to arrive between this and then! So long therefore as demand for house-room keeps ahead of the supply leasehold values will never be affected by reclamations, and who can tell that the stream of settlers that has set in from the mainland will stop at 8,000 arrivals per annum? When I first came to this Colony in 1873 the annual immigrants were computed at 1,500. Now they number 8,000 every year. May not this number grow before long to 10,000 or 12,000?

38. In conclusion I desire to state that the estimates of cost of reclamation and the appraisals of value of the lands to be reclaimed, though approximate, may be taken as erring if at all on the right side. I have deemed it prudent in this report to understate rather than over estimate the pecuniary advantages to Government resulting from this Reclamation Scheme. The exact costs can be given only after the completion of detailed estimates and final settlement of the designs of wall to be adopted.

J. M. PRICE.

18th July, 1887.

(3.)

(*Acting Colonial Secretary to Mr. Chater.*)

No. 1221.

COLONIAL SECRETARY'S OFFICE,

HONGKONG, 11th August, 1887.

SIR,

I have the honour to acknowledge the receipt of your letter of the 13th ultimo submitting a proposition to reclaim the foreshore from West Point to the Government Wharf, and offering your services with the marine lot-owners in order to obtain their co-operation in the project. In reply I am directed to inform you that the Governor in Council has had your letter under careful consideration and that in view of the congested state of the population of Victoria and the importance to the town of the large areas which you propose to throw open for building purposes,

His Excellency is disposed to approve of the proposed reclamation, and I am to add that whilst the Government would prefer having this great scheme carried out in its entirety by the marine lot-holders themselves, in preference to undertaking the reclamation as a public work at its own risk, it would have no objection in the general interests of the Colony, should a minority refuse to join in the scheme, to exercise the rights of the Crown and to undertake the reclamation itself in conjunction with the consenting majority of the lot-owners.

His Excellency is therefore prepared to recommend the project strongly to the Secretary of State, subject to the conditions which follow:—

- (i.) That the proposed reclamation, including the extension of streets and a new Praya roadway, be carried out in accordance with the general plan dated the 6th of August, 1887, which has received the approval of the Acting Governor and which may be seen on application to the Surveyor General.
- (ii.) That the whole of the works, including the removal and re-erection of piers, and the extension, formation, sewerage and channelling of the proposed new streets and new Praya wall and roadway, except on such portions of the foreshore as are situated in front of Government properties, be carried out by the Public Works Department at the cost of the marine lot-owners.
- (iii.) That the Colonial Government shall not be called upon to incur any expense whatsoever in connexion with the proposed works, other than the wall and reclamation in front of Government properties.
- (iv.) That the proposed works, except as aforesaid, be defrayed from a General Fund to be constituted by the marine lot-owners for the purpose, and that before the commencement of the works each marine lot-owner enter into a written contract with the Government binding himself to take up such allotment of the general reclamation as may be apportioned him by the Government, and that each marine lot-owner deposit at the Bank 25 per cent of the total value of the contribution to the General Fund by way of a guarantee of his *bona fides*, such deposit of 25 per cent to be forfeited to the Crown in the event of the marine lot-owner subsequently failing to take up his allotment of the reclamation. The interest accruing on these deposits to be handed over by Government to the marine lot-owners.
- (v.) That during the progress of the works all calls of money for works that may be made by the Government upon the marine lot-owners shall be duly honoured by the latter, provided that the amount of such calls does not exceed the value of the works actually done in their respective allotments.
- (vi.) That immediately upon the completion of the reclamation of his allotment, including the construction of the extension of new streets and of the new Praya as aforesaid, each marine lot-owner take out a Crown lease for said allotments, paying an annual Crown Rent for the same at the rate of \$200 per quarter acre.
- (vii.) That no rebatement of annual Crown Rent shall be claimed by the marine lot-owners for their present holdings upon the issue to them of new marine lot leases for the reclamations, in consideration of which the Government undertakes not to levy any premium on the latter.
- (viii.) That any houses to be erected on the proposed reclamations shall be subject in respect of light, space, and ventilation to the following structural provisions:—
 - (a.) No private lane on which the houses shall front to be of a less width than 15 feet.
 - (b.) Every one-storied house to have a back-yard not less than 10 feet in width, and such width to be not less than 15 feet for houses of more than one story.

- (c.) Every habitable room in a house to have at least one window opening out into the external air, such windows to be of a size not less than one tenth of the floor area of the room.
- (d.) Every human dwelling to be furnished with a suitable privy placed in the back-yard.
- (ix.) The Crown reserves to itself such portions of the reclamation as are required for the new streets and the new Praya, and the same, when constructed, shall remain the property of the Government.
- (x.) That in the event of any marine lot-owner failing to take up his allotment, or to perform his contract or any portion thereof, in addition to the forfeiture of deposit as provided by the fourth condition, the contract shall be cancelled and all rights of the lot-holder thereunder shall cease and determine.

Subject to the foregoing provisions the Acting Governor would be prepared to meet the views and wishes of the marine lot-owners, and His Excellency will be happy to avail himself of your offer to act as an intermediary between them and the Government.

I have the honour to be,

Sir,

Your most obedient Servant,

FREDERICK STEWART,
Acting Colonial Secretary.

The Honourable C. P. CHATER,

&c.,

&c.,

&c.

(4.)

(*Mr. Chater's Circular to Lot-Owners.*)

Mr. C. P. CHATER invites the Owners and the Attorneys or Agents of absent Owners of Marine Lots west of the Swimming Bath, to meet him in the City Hall, on Saturday, the 17th instant, at 2.30 P.M. for the purpose of considering and discussing the *Project for the Reclamation of the Foreshore extending from the Gas Works to the Swimming Bath* submitted by him to the Government in his letter to the Acting Colonial Secretary of the 13th July, 1887, and approved of by the Government with certain conditions and limitations as set forth in the Acting Colonial Secretary's letter to Mr. CHATER of the 11th August last.

These letters were published in the local papers on Friday and Saturday, the 12th and 13th August, and copies of them and of this invitation have been posted to every Marine Lot-holder resident in the Colony, and to the Agent or Attorney of every absent Marine Lot-holder whose name and address could be ascertained.

The Plan dated 6th August last, referred to in the Acting Colonial Secretary's letter is, from this date, on exhibition in the room of the Chamber of Commerce at the City Hall, and is open to the inspection of all persons interested:

It shows the *minimum* quantity of reclaimed land to which each Marine Lot-holder will be entitled under the scheme.

Mr. C. P. CHATER will be glad to receive on or before Saturday, the 10th instant, communications in writing from all persons interested, embodying :—

- (a.) Objections to the scheme in whole or part.
- (b.) Suggestions for its improvement or amendment in any direction.
- (c.) Pointing out any matters in connection therewith that stand in need of explanation or development.

Mr. CHATER invites these communications that, in his capacity as intermediary between the Government and the Lot-holders, and to enable him the better to serve both parties, he may have an opportunity before the Meeting on the 17th September, of submitting any proposed alterations or modifications to the Government, and be in a better position at the Meeting to answer questions, and discuss the amendments that may be proposed.

Owners of Marine Lots and Attorneys or Agents of Owners who have not received the Circular letter and copy of the correspondence above referred to are earnestly requested to apply at once to Mr. C. P. CHATER, stating the numbers of the lots for which they are agents, when copies will be forwarded without delay.

Hongkong, 3rd September, 1887.

(5.)

(*Mr. Chater to Colonial Secretary.*)

HONGKONG, 6th October, 1887.

SIR,

With reference to previous correspondence on the subject of the Praya Reclamation Project and in conformity with His Excellency the Acting Governor's desire that I should act in the capacity of intermediary or negotiator between the Government and the Marine Lot-owners, I have the honour to inform you that I duly invited the Marine Lot-holders' views and opinions on the Government conditions, and that the only questions and objections that have so far reached me from them are contained in the documents which I now beg to forward for the information of the Government, and which are marked respectively A, B, C, D, E, and F.

By the enclosure marked A you will see that the Chinese portion of the Marine Lot-owners have held a meeting to consider the Government conditions and that they have passed a series of Resolutions embodying the whole of their objections.

To facilitate matters between all parties I venture to submit the following observations on the points raised in enclosure A in the belief that my suggestions, if adopted, will secure the general adherence of the Lot-owners to the Project without after all entailing on the Government any very substantial sacrifice.

Resolution 1.—I would recommend that this be granted.

Resolution 2.—If the Government is not prepared to waive the preliminary deposit of 25 per cent that at all events the contractors first calls for payment on account of work executed be met from the preliminary deposits until the latter are exhausted, when calls can be made on the Lot-owners direct for the balances required. The Lot-owners to receive 10 days' notice in the *Government Gazette* of each intended call.

Resolution 3.—The Marine Lot-owners appear not to have any objection to the inner road being of the width of 75 feet as they realize the necessity of having a broad street where it is proposed to have the tram-roads laid down, but I think it would be advisable if the Government modify their ideas about the width of the outer road so as to meet the views of the Marine Lot-owners, if not entirely, at least by a compromise, which certainly might be done without detracting from the beauty of the city, the value of the ground being naturally a matter of grave importance to the owners.

Resolution 4.—I would venture to suggest to the Government that here again and for the same reason as specified above, the ideas of the Land-owners should be met, and I do not think it would be unreasonable having due regard to the laws of Sanitation, to enforce a back-yard of 10 feet in width where the houses do not exceed 60 feet in depth.

As regards that part of this resolution which objects to windows I understand the Lot-owners would like an explanation as to what is particularly referred to, and I shall feel obliged if the Government will furnish me with a detailed explanation to lay before them.

Resolution 8.—For the purposes of giving effect to this Resolution I apprehend it would be necessary to make a detailed engineering survey of the entire sea-bed and Marine frontage, and perhaps the Government would not object to this.

The rest of the enclosures marked *B, C, D, E, and F* from European Lot-owners speak for themselves and their contents will no doubt receive the favourable consideration of the Government. As the questions raised in these letters will have to be answered, I will feel much obliged by your furnishing me with the necessary information for this purpose at the same time that you favour me with His Excellency's decision on the Resolutions of the Chinese Lot-owners.

I have the honour to be,

Sir,

Your most obedient Servant,

C. P. CHATER.

The Honourable F. STEWART, LL.D.,

Colonial Secretary.

Enclosure A.

Translation of

The Resolutions made by the principal Chinese owners of Marine Lots in Victoria, Hongkong, at a Meeting held in the On Tai Insurance Office on the 11th September, 1887.

Resolution 1.—That the Crown Rent of the land to be reclaimed shall bear the same rate as that of the existing Marine Lots and shall be apportioned according to the quantity of land to be reclaimed.

Resolution 2.—That there shall be no deposit on account of the costs of reclamation. But the contractor shall be paid by instalments; and each Marine Lot-owner shall sign an agreement to contribute a proportionate part as and when any instalment becomes payable. Such proportionate parts to be fixed by the Surveyor General and paid by the Marine Lot-owners at one month's previous notice on the former's receipts.

Resolution 3.—That the proposed tramway road shall be of 75 feet wide but the other proposed new road of 50 feet only, the land being too valuable to be dedicated to the public more than is necessary.

Resolution 4.—That paragraphs *B* and *C* of condition 8 in the letter from the Acting Colonial Secretary dated the 11th August last relating to back-yard and window should be struck out.

Resolution 5.—That the costs of the reclamation shall be estimated and the terms of the contract with the contractor settle by two or more surveyors to be appointed by the Marine Lot-owners. Such estimate and contract to be approved of by the Surveyor General and the works supervised by him.

Resolution 6.—That a new plan shall be drawn up and the land to be reclaimed shall be delineated thereon in such divisions as are proportionate to the frontages of the existing Marine Lots; and the land when reclaimed shall be allotted according to such divisions.

Resolution 7.—That the Government should compensate the Marine Lot-owners for the lands taken from them to make bye-paths* leading to the proposed new roads.

Resolution 8.—As the depths of the water along the foreshore may not be uniform the Marine Lots shall be divided into several convenient sections, so that the costs of the reclamation may be apportioned and the Marine Lot-owners may contribute more or less according to what section their lands are comprised in.

COPY of SCHEDULE of the above mentioned MARINE LOT-OWNERS with their Signatures and the
Registered Numbers of their Marine Lots.

NAMES.	MARINE LOT NUMBERS.	REMARKS.
Lee Sing,	Lots Nos. 2, 37, 63, 54, 68, 69, 79, 58, 213, 220 and 221.	
Choy Chan,.....	Lots Nos. 22, 27, 38, 54 and 187.	
Yeong Sz Ching,	" " 51 and 59.	
Mook Ying Kai,.....	Lot No. 219.	
Wai Long Shan,.....	Lots Nos. 49 and 50.	
Koo Wah,	" " 200, 225, and 227.	
Yu Lok,	Lot No. 186.	
Yu Hing and Yu Lok,	Lots Nos. 204 and 205.	
Pang Sow and Pang Kit,	" " 90, 91, and 92.	
Pang Yuk Cheong & Pang Yuk Yan,	" " 90 and 92.	
Chu Poi,	Lot No. 233,.....	By his Attorney Chu Chune.
Tang Sew Moi,	" " 217,.....	By his Attorney Wong Shu Tong.
Lee Yune Wah & Lee Yune Chak,	Lots Nos. 56 and 79.	
Lee Tin Shut,.....	Lot No. 73.	
Cha Kit Mun,.....	" " 75.	
Chun Ping,.....	" " 225.	
Chun Sing,	Lots Nos. (Four Lots),	By his Attorney Chune Yat Lai.
Chun Tai,	" " 39, 41, and 227.	
The Chinese M. S. S. N. Co.,	Lot No. 225,.....	By their Agent Cheong Lok Yü.
Chun Yik Chung,	" " 185.	
Lee Yuk,.....	" " 37.	
Ling Fook Sing & Lee Chung Pak,	" " 57.	
Lee Yun Chak,	" " 69.	
Lee Po Loong,	" " 10.	
Lee Kong Chune,	" " 55.	
Lo Cheong,	" " 222.	
Fung Hok,	" " 211.	
Yeong Shü Lune,	Lots Nos. 233, 234, and 235.	
Tang Chun Chi & Loi Sum Chune,	Lot No. 207.	
Lee Sing Ho,	Lots Nos. 45 and 198.	
Lo Hung & Chan On,	Lot No. 37.	
Lee Sang,	" " 44.	
Ho Yeung,	" " 218.	
Ho Sam Shan,	" " 226.	
Yü Kum Sum,	" " 81.	
Leong Sow,.....	Lots Nos. 90 and 91.	
Leong Wing Sing,	" " 90 and 91.	
Sin Tuk Fun,	Lot No. 91N.	
Ho Tsoy Mun,	Lots Nos. 46 and 47.	

* Cross Streets.

Enclosure B.

Honourable C. P. CHATER,

HONGKONG, 15th *September*, 1887.

DEAR SIR,

In accordance with the invitation conveyed in your letter of the 3rd instant, we beg to point out that the cutting off of the reclamation, and the termination of the proposed new praya road immediately opposite to Marine Lot No. 188 is calculated, by interrupting the sweep of the tides, to cause a vast increase of the same deposit from the Shektongtsui Nullah at this point.

The owner of Marine Lot No. 188 is precluded from the extension of his area, whilst the owner of Marine Lot No. 183 will have his Lot inextricably encumbered with sand deposit.

This will in a short time become really formidable, spreading westward, and shallowing the water in point of Marine Lots Nos. 183 to 177 and Marine Lot No. 126, which have only just now, at great cost, been reclaimed.

Moreover the new Praya Roadway is made to terminate in a most awkward and unsightly manner, with a godown wall at right angles across its face, a defect which has not failed to attract the attention of every one on examining the plan.

By continuing the reclamation but seventy-five feet further and carrying out the nullah sewer into deep water all these difficulties will be removed. The owner of Marine Lot No. 188 can then share in the extension. Marine Lots Nos. 183 to 126 will be relieved from the danger which threatens their frontages, whilst the new Praya Road will be connected directly in line with a street of equal width, forming, for the meantime, a most appropriate termination of this work to the West.

We are, Dear Sir,

Yours faithfully,

SHARP & Co.,
Owners of Marine Lots
Nos. 177, 178, 179, 180, 181, 182.

I consider the foregoing quite correct, and that the value of my Marine Lot No. 183 would be very greatly depreciated by the termination of the Praya Road opposite Marine Lot No. 188. The danger of silting up my frontage by sand deposit would be removed were the extension carried only 75 feet further West, so as to admit of the nullah sewer being carried out into deep water, and thereby to reach the sweep of the tides.

(IP CHING CHUNE) 葉晴川
Owner of Marine Lot No. 183.

A plan of the proposed alteration is annexed.

Enclosure C.

HONGKONG, 3rd *September*, 1887.

To the Honourable C. P. CHATER, M.L.C.,

SIR,

Adverting to your correspondence with the Colonial Government upon the new reclamation scheme and to your request that the marine lot-owners should furnish you with any objections to the scheme or suggestions as to its improvement, we beg to lay before you the following points which to our minds require modification, and which we feel sure will otherwise cause opposition, not only from ourselves, but from many other marine lot-owners to what can otherwise only be regarded as a scheme tending to the great improvement of this Colony.

In every new house that may be erected of more than one story in height, the Government requires a back yard of at least 15 feet in width, this appears to us to be a waste of valuable ground entirely uncalled for ; without losing sight of the fact that a back yard is absolutely necessary from a sanitary point of view, still a minimum of 15 feet would entail an unnecessary waste of ground and an enormous loss on the land-owner against which we must most forcibly protest.

Paragraph IX in the letter from the Government does not mention the actual breadth of ground required for the new streets, but we are informed that it is the intention to reserve 100 feet for the New Praya and for the purpose of widening the present Praya.

This, we are of opinion is excessive and would suggest that 80 feet—to be apportioned between the two streets as the Government may deem fit—will be amply sufficient.

We must also protest against the proposed new Crown rent of \$200 per quarter acre, inasmuch as Crown rents have hitherto always varied according to the position of the plot of ground, and we would suggest that this principle be adhered to and the same rate charged per quarter acre, as is at present charged for the ground immediately in rear of the proposed reclamation, we can only regard any increase in the rate as a premium on the new ground, which the Government pointedly states it does not intend to levy.

We beg to remain,

Sir,

Yours faithfully,

DAVID SASSOON, SONS & Co.

per J. A. Mosely.

Enclosure D.

HONGKONG, 9th September, 1887.

Honourable C. P. CHATER,

SIR,

We are in receipt of your Circular of 3rd instant, with reference to the Reclamation of the foreshore, accompanied by copy of your letter of 13th July to the Acting Colonial Secretary and copy of his reply of 11th August on the same subject.

We are willing to carry out the conditions of the scheme, but not before knowing how you propose to divide the two pieces of ground in front of marine Lot No. 7, which we have seen in the Plan of 6th August at the City Hall.

As regards the outer one we see no difficulty in dividing it in proportion to the area of the three present sections in the said marine lot No. 7, by running on it lines, from North to South, parallel with those already marked in the Plan to the eastward contiguous to the numbers 34, 34 and 33.

But as regards the inner and triangular portion we shall feel obliged by your opinion on the subject. *

We are, Sir,

Your obedient Servants,

VIRGINIA A. R. DO ROZARIO,

J. M. E. MACHADO,

Executors of the Estate of M. C. do Rozario.

Enclosure E.

HONGKONG, 24th September, 1887.

Honourable C. P. CHATER,

DEAR SIR,

RECLAMATION PROJECT.

With reference to marine lot No. 7 which at present is divided between three houses, I assume that the Hongkong Hotel Company, Limited will receive their fair proportion of the new ground, both on first and second bits. I bring this to your notice as it appears to me, from the signed plan, as if the Hongkong Hotel Company, Limited, would not receive in proportion to their present water frontage.

I am, Dear Sir,

Yours faithfully,

D. McCULLOCH,

Chairman, Hongkong Hotel Company, Limited.

Enclosure F.

HONGKONG AND CHINA GAS COMPANY, LIMITED,

WORKS, WEST POINT,

HONGKONG, 9th September, 1887.

PROPOSED RECLAMATION SCHEME.

DEAR SIR,

In response to your invitation to marine lot-owners, to offer any objections, suggestions, or point out any other matter connected with the scheme and requiring development, I herewith beg to offer a few remarks as Agent for this Company; but at the same time do not bind myself or this Company to the opinions expressed, having in view the discussion of the scheme at a public meeting, and the probable modification of the views herein expressed.

It is impossible in a letter of this sort to bring before you all the reasons for the objections or suggestions I may make, but I do to some extent.

Cost.—As a first consideration we have to go into the cost.

In your letter of the 13th of July to the Colonial Secretary, you estimate the average cost of the reclaimed land as available for building purposes at \$2 per square foot, and after reclamation the land will sell in no case for less than \$4 per square foot, and in some cases from \$12 to \$15 per foot. Assuming that the average cost is \$2 per square foot super. how is this to be paid, will each marine lot-owner have to pay \$2 per square foot of the land he receives; if this is the intention, then I contend it is an injustice to those marine lot-owners extreme West of the Reclamation, for in the first place, the cost of reclamation in the Western District will be very much smaller than the cost in the Central District owing to the difference in the depth of water, &c., in the second place, the land in the Central District being of such greater value than that in the West, it should pay a proportionately higher rate according to the sections marked on the Government Plan.

To apportion the cost relative to the depth of water, it would be necessary to have a complete and thorough survey and cost computed at so much per cubic foot, of the available land for building purposes.

To apportion the cost relative to the value of the reclaimed land it will be necessary to put an estimate value (derived from the latest transactions) on the land contained in the various sections, and the cost apportioned in proportion to the values so fixed.

I contend however that the land at West Point will not sell for such a price as \$4 per square foot, with the amount of land that will then be thrown on the market, and it is quite unfair to saddle the owners of land at West Point with the cost of reclaiming the land in the Central District which undoubtedly will sell for from \$12 to \$15 per square foot.

It will be absolutely necessary before the Marine Lot-owners are asked to pledge themselves to this scheme that they shall know what it is going to cost them, and for this purpose I would suggest that the Government should make a survey and lay before the Marine Lot-owners the approximate cost, say within \$100,000, it will then be for the Marine Lot-owners to apportion this cost between them, having regard to the consideration I have mentioned.

Crown Rent.—The Government in condition No. 7 of the Colonial Secretary's letter say "each marine lot-owner shall pay an annual Crown Rent of \$200 per quarter acre; if the land Westward will only be worth \$4 per foot and that Central, worth \$12 to \$15 per foot, is it fair and equitable that those Marine Lot-owners Westward should pay the same Crown Rent as those in the better favoured Central District. I would suggest that the Crown Rent on the reclaimed land, be placed at the same rate as the Crown Rent on the present Marine Lots, especially so as the annual Crown Rent for the present marine lots is not to suffer any rebatement.

25 % Security.—The Government in condition No. 4 of the Colonial Secretary's letter, say, "each marine lot-owner shall deposit at the Bank 25 per cent of the total value of the contribution to the General Fund, by way of a guarantee of his *bonâ fides*, such 25 per cent to be forfeited to the Crown in the event of the marine lot-owners subsequently failing to take up his allotment of the reclamation;" the objections to this condition are many and various, and will in some cases no doubt exercise with considerable harshness, and as it is most likely to be discussed freely at the Public Meeting, I will not further comment on it, but would make the following suggestion for your consideration; that each marine lot-owner shall deposit at the Bank 5 per cent of the total value of his contribution to the General Fund by way of a guarantee of his *bona fides*, and at the same time execute a first mortgage on the proposed reclaimed site, on behalf of the Government and in the event of the marine lot-owner being, from any cause whatsoever, unable to take up his allotment, the 5 per cent deposit shall be returned to him, but the land shall lapse to the Government under the said mortgage.

Section-Holders.—I note that in the Plan approved by the Government the reclaimed land has only been apportioned to the original Leaseholds, no regard having been taken of those sections into which the original Leaseholds have been divided from time to time.

I presume that the reclaimed land will be apportioned to these various sections in accordance with the plan of division already adopted and would suggest that the apportionment of these sections be done by the Government.

Existing Wharves and Piers.—This is a matter affecting those interested that will bear discussion.

Sewering, &c.—Condition No. 2 of the Colonial Secretary's letter is to the effect that all sewerage and channelling is to be carried out by the Public Works Department at the cost of the marine lot-owners, and in your letter of the 13th of July to the Colonial Secretary you mention, that you are, "sanguine the marine lot-owners will come forward, and by carrying out the work at their sole expense, achieve free of cost to the public, the greatest sanitary improvement of which the Colony has ever stood in need of." With reference to this I have no doubt each marine lot-owners would be willing to bear his proportionate cost of the sewerage works *necessary* on the completion of such a scheme as this, but to carry out a great and needful improvement of the Colony, and one that it is contended the Colony has long stood in need of, is asking the marine lot-owners (who are altogether but a small section of the leaseholders in the Colony) to pay a large sum of money, not at all for any benefit to themselves, but admittedly as a benefit to the rest of the community, and to save the Government paying the cost of a needful sewerage scheme.

It will therefore be necessary to know what the sewerage scheme for this proposed reclamation is to be.

West Point.—A great improvement could, I think, be made at this point by extending the new Praya so as to gradually coincide with the Praya opposite Messrs. Musso & Co.'s Godowns below the nullah.

Colonial Secretary's Letter, Condition III.—With such apparent financial benefits to the Government both in the present and in the future, I do not think this condition should be strictly enforced, particularly having regard to the sanitary measures I have mentioned before.

Width of Praya.—I note that the road to be formed on the site of the present Praya is to be 75 feet wide, and the new Praya is also to be 75 feet wide, I would beg to suggest that for all practical purposes a road on the side of present Praya of 70 feet wide would be quite sufficient, and that the new Praya be 60 feet wide, thus making each new Lot 170 feet deep in the place of 150 feet.

In conclusion I would beg to suggest that the whole line of the Praya having been divided into sections on the Government Plan, the marine lot-owners at the Meeting to be held on Saturday, the 17th instant, do appoint a thoroughly representative Committee, the members of which shall be taken from those having interests in the various sections shewn on the Government Plan, and that this Committee shall take into consideration the various points raised at the Meeting, and communicating with the Government, obtain a modification of the conditions specified in the letter of the Colonial Secretary.

I beg to remain, Dear Sir,

Yours faithfully,

F. W. CROSS,
Manager.

Honourable C. P. CHATER.

(6.)

(*Colonial Secretary to Mr. Chater.*)

No. 1781.

COLONIAL SECRETARY'S OFFICE,

HONGKONG, 18th November, 1887.

SIR,

Adverting to your letter of the 6th ultimo, on the subject of the proposed Praya Reclamation, I am directed by the Governor to request you to convey to the Chinese marine lot-owners His Excellency's regret at his inability to meet the whole of their views and wishes, as expressed in the Resolutions which you forwarded.

The Governor would, however, be prepared to make concessions on the following points:—

Resolution 2.—His Excellency will adopt your suggestion, and allow the Contractors' first calls for payment on account of work executed, to be met from the preliminary deposit fund, until the latter is exhausted, on the understanding in respect of subsequent payments that any lot-owner failing to meet the calls of the Government for the balance of the moneys due by him shall forfeit his rights to the reclamation.

Resolution 3.—The Governor consents to the proposed new Praya roadway being reduced to a width of 65 feet.

Resolution 4.—In consideration of the fact that the lots will be artificially reclaimed from the sea at great cost, His Excellency is disposed to relax the rules which would apply to lots situated on dry land, and will therefore consent to back-yards somewhat less than 15 feet in width. In this connexion the following scale is prescribed, and I am to add that no proposition to still further reduce the widths of back-yards will be entertained :—

Houses of a depth of 50 feet or less to have 10-foot yards.					
Do.	do.	from 50 to 60 feet	do.	11-foot	do.
Do.	do.	from 60 to 70 feet	do.	12-foot	do.
Do.	do.	from 70 to 80 feet	do.	13-foot	do.
Do.	do.	from 80 to 90 feet	do.	14-foot	do.
Do.	do.	from 90 to 100 feet	do.	15-foot	do.

Resolution 8.—Without at all assenting to the principle that marine lot-owners have an *à priori* right to the foreshore in front of their lots, such as would make it obviously fair that each should contribute to the whole reclamation only that part of the cost which had been incurred in respect of the portion allotted to him, the Governor is nevertheless disposed to think that there are considerations partly in connection with the cost to be incurred which appear to point to the justice of lower payment per area in some cases than others, and for that reason is willing to assent to the proposal contained in this Resolution ; and if the lot-owners are willing to defray the cost, His Excellency will cause a detailed survey of the sea-bed to be prepared.

In conclusion, I am to state that it will not be possible to acquiesce in the demands contained in the rest of the Resolutions, and that the questions relating to the division of the lands and to the shape of the terminus at West Point, as well as the other points raised by your European correspondents in the Enclosures which you forward, may, with more advantage, be considered after the completion of the detailed surveys, when it will be possible to determine the position of the sea-wall with greater accuracy. But, whatever may be the position of the proposed new sea-wall, I am to mention that the extension of the cross Streets must be on the same centre line as the present cross Streets, of which they will be only a continuation, and that the sea-frontage between two cross Streets will, in every case, be equitably divided between lot-owners in proportion to their present frontage.

I have, &c.,

FREDERICK STEWART,
Colonial Secretary.

The Honourable C. P. CHATER.

(7.)

(*Mr. Chater to Colonial Secretary.*)

HONGKONG, 22nd November, 1887.

SIR,

With reference to the last paragraph of your letter to me of the 18th instant where you state that the extension of the cross streets in the proposed new Reclamation must be on the same centre line as the present cross streets, I would be obliged by your informing me whether it is meant that the extensions of these cross streets shall be a continuation in the same straight line of the present streets or whether you adhere to the original plan and make these extensions at right angles to the line of the proposed sea-wall. The passage in your letter which I refer to may have either meaning and I therefore would be obliged by your elucidating this point for the information of the marine lot-owners.

I have the honour to be,

Sir,

Your obedient Servant,

C. P. CHATER.

The Honourable F. STEWART, LL.D.,
Colonial Secretary.

(20)

(8.)

(*Colonial Secretary to Mr. Chater.*)

No. 1799.

COLONIAL SECRETARY'S OFFICE,
HONGKONG, 22nd November, 1887.

SIR,

In reply to your letter of this date on the subject of the street extensions on the proposed Praya reclamation, I have the honour, by direction of the Governor, to express His Excellency's regret that the explanation given in my letter No. 1781 of the 18th instant was not more lucid.

With the view of clearing up the doubt which has not unnaturally arisen, I am to refer you to the plan signed by the Acting Governor, wherein the directions of the streets are precisely indicated.

I have, &c.,

FREDERICK STEWART,
Colonial Secretary.

The Honourable C. P. CHATER.

(9.)

(*Mr. Chater to Colonial Secretary.*)

HONGKONG, 29th November, 1887.

SIR,

I have the honour to inform you, for the information of His Excellency the Governor, that at a Meeting of the marine lot-holders held at the City Hall on Saturday, the 26th instant, for the purposes of taking into consideration the modifications in the Praya Reclamation Scheme embodied in your letters of the 18th and 22nd instant it was unanimously resolved to adjourn the further consideration of the matter until the detailed survey of the sea-bed, referred to in your letter of the 18th instant, had been made and until a complete set of plans could be prepared and laid before the Meeting with estimates of the total cost of the work and of each section, and it was further unanimously resolved that the cost of those surveys and estimates should be defrayed by the marine lot-holders each contributing in proportion to his frontage, and that an amount not exceeding \$5,000 should be raised.

I have the honour therefore on behalf of the marine lot-holders to request that His Excellency the Governor will be pleased to take the promptest possible measures to have such detailed surveys and estimates made out, and as the present staff of the Surveyor General's department is hardly adequate numerically for the work, to telegraph if he should think fit to do so, to England for duly qualified persons to be sent out, for the purposes.

I do not think I need enter into the reasons which influence me in asking His Excellency to speed on this matter. It is obvious that the more quickly the work of Praya extension is taken in hand and completed, the more speedily and the more effective will be the relief to the congestion of population from which the city is suffering.

I have the honour to be,

Sir,

Your most obedient Servant,

C. P. CHATER.

The Honourable F. STEWART, LL.D.,
Colonial Secretary.

(21)

(10.)

(*Colonial Secretary to Mr. Chater.*)

No. 1898.

COLONIAL SECRETARY'S OFFICE,
HONGKONG, 8th December, 1887.

SIR,

With reference to your letter of the 29th ultimo respecting the proposed Praya Reclamation Scheme, I am directed by the Governor to inform you that His Excellency is pleased to acquiesce in the wishes of the marine lot-owners, and that the Surveyor General has been instructed to have the necessary surveys made forthwith.

I have, &c.,

FREDERICK STEWART,
Colonial Secretary.

The Honourable C. P. CHATER.

(11.)

(*Surveyor General to Colonial Secretary.*)

PUBLIC WORKS DEPARTMENT,
1st June, 1888.

SIR,

I have the honour to report the completion of the detailed surveys of the Praya foreshore in front of the Central and Western Districts of the city of Victoria, and to transmit you the accompanying plans in connexion with the Reclamation Project. Annexed will also be found marked Appendix A sheets of particulars and costs including the areas and dimensions of the extensions seawards of the present line of marine lots, and the share of the cost of reclamation which will fall to each marine lot-owner.

2. The Reclamation Project comprises the erection of a new ashlar masonry breast-wall 3,400 yards long running almost uniformly parallel with the present coast line at a distance out of 250 feet from the shore along 20 feet of water, and the conversion into dry land of the strip of sea left enclosed between the new masonry breasting and the present old Praya. The land thus formed will be parcelled out into building allotments 160 feet wide, divided into blocks by cross streets placed at intervals, and by two wide and continuous main thoroughfares running East and West longitudinally with the water frontage of the town. The inner of these two thoroughfares, *i.e.*, the present Praya will be widened out to 75 feet to admit of double lines of tramway, and the new embankment will be 65 feet wide. When finished, the new land will be allotted to the different marine frontagers along the present Praya who have expressed themselves willing to defray the cost of the sea-wall and reclamation opposite their lots.

3. The General Plan shows tinted red the reclamations which will be carried out at the cost and charges of the marine lot-owners, and tinted yellow those which the Colonial Government will pay for from public funds. The Government being the owner of several valuable frontages along the line, proposes to take its place as a marine lot-owner along with the rest of the marine proprietors.

4. As the cost of the sea-wall and the filling in will not be uniform per yard lineal of sea-frontage throughout, in consequence of the sea being deeper in some places than in others, the work has been divided into seven sections and the cost of each section has been ascertained separately. In this way the average price per square foot of reclamation has been equitably apportioned for each section, so that of the seven groups of marine lot-owners no two groups will pay the same price for their reclamations. The cost of that portion of the work which will be defrayed by the Government on account of the areas tinted yellow in the General Plan, will be reduced by the utilization, in the proposed new sea-wall, of the stone of the present Praya wall.

5. The cost of the Government reclamations opposite the Sailors' Home in Section No. 1 have been entirely excluded from the present estimates because already last year the Government had begun this work in connexion with the preparation of a site for the proposed new Western Market, and as the filling in at this point is making good progress there is every probability that the Market site will be completed next year.

6. I annex hereto (marked Returns Nos. 6-7) a schedule of the annual Crown Rents based on the appraisal of \$200 per quarter acre, which the lot-owners will have to pay to the Colonial Treasury for their new reclamations. The total amounts to \$20,932 per annum. Following the precedent in respect of all previous reclamations, I understand the Government does not propose to charge any premium for the new allotments in consideration of these being reclaimed entirely at the cost of the lot-owners.

7. In section 2 a portion of the reclamation is shown tinted purple (see the General Plan). This purple Section is also omitted from the present estimates, because the work having been already begun last year, will doubtless be completed before the general scheme has been initiated. The work is being carried out by the Public Works Department at the entire cost and charges of the Wharf and Godown Company who are the owners of the Marine Lots Nos. 98 to 105. This Company were granted an extension to their lots seawards, subject to their defraying the cost of the requisite sea-wall and filling-in, and subject to their paying the Government a Crown Rent of \$764 per annum.

8. The timber jetties and landing-stages along the present line of wall, erected in the early days of the Colony mostly by private enterprise will have to be removed at the cost of their owners who are tenants at will of the Crown. Owing to the greatly increased depth of water along the proposed new sea-wall, new piers and landing-stages will not be required except in four or five cases. These I presume will be erected at the cost of the owners.

9. The detailed surveys have not brought to light any new facts that would justify the Government in relaxing any of the conditions prescribed by His Excellency the Governor in the correspondence with Mr. C. P. CHATER of November 1887, and I am of opinion that the marine lot-owners should be held to those conditions by written contract between the Government and each individual. There would be less ground for any concession that it is now found the profits accruing to the lot-owners are greater than was anticipated.

10. As it would be a serious hindrance and obstruction to the shipping and landing operations of the port to undertake the proposed new works all along the line at the same time, it is recommended that the reclamation be begun and finished section by section. There would however be no objection to two sections being pushed on with at the same time provided they were in different parts of the harbour-frontage. Probably it will be found most convenient to begin sections 1 and 7, and when these are finished to pass on to Sections 2 and 6, finishing up with sections 3 and 5 and then 4.

11. I deem it unnecessary to encumber this letter with technical matter descriptive of proposed constructional details, I therefore attach a separate outline-specification with detail tracings showing what is proposed in respect of sea-wall and embankment.

12. By the light of the new detailed surveys just completed, it is seen that the reclamations, inclusive of roads, but exclusive of the Western Market site

opposite the Sailors' Home, and the Wharf and Godown Company's extension, will comprise 57 acres and 3 roods of which $26\frac{1}{2}$ acres will become the property of the marine lot-owners, and $5\frac{1}{2}$ acres the property of the Government, while 26 acres will be reserved for roads and streets. The present market value of the $26\frac{1}{2}$ acres of building sites to be assigned to the lot-owners appraised at current rates comes to \$7,910,821. (See Returns Nos. 2-3) while their outlay in reclamation works will be only \$2,146,228 showing a net profit to be obtained by them of \$5,764,593.

13. The $5\frac{1}{2}$ acres of building sites which will fall to Government and which are shewn tinted yellow on the General Plan will, (exclusive of the Sailors' Home reclamation already appropriated to the proposed new Western Market) represent a minimum value of \$1,441,587. (See Return No. 5.) Some of these Government building-sites can be sold and others utilized for the more urgently needed new public buildings, such as a new Supreme Court, a new Post Office, a new Harbour Master's Office, and a new Fish-Market as an adjunct to the Central Market. If accommodated on the embankment, all these new public buildings may be erected practically at little or no cost to the Government, for in each case the expense of erection will be covered or nearly covered by the proceeds of the sale of the present old sites of the Supreme Court, Post Office, and the Harbour Office.

14. You will notice some difference between the figures given in this letter in respect of areas and estimates, and those contained in my first Report of the 18th of July, 1887. The present figures are the correct ones, because they are based on the detailed information more recently obtained, and because the design has undergone some modifications since its first inception.

15. The shape of the reclamation at its western terminus has now been changed, and the proposed new sea-wall is shown as running into the present old wall, in such manner as will preclude further objection from the marine lot-owners at the West End.

I have the honour to be,

Sir,

Your obedient Servant,

J. M. PRICE.

Surveyor General.

The Honourable F. STEWART, LL.D.,

Colonial Secretary.

RETURN No. 1.

SCHEDULE OF AREAS AND ESTIMATED COSTS OF THE PORTIONS OF RECLAMATION TO BE
ASSIGNED TO THE MARINE LOT-OWNERS AND TO BE PAID FOR BY THEM.

<i>No. of Section.</i>	<i>Area of proposed Reclamation.</i>	<i>Amount of Cost exclusive of Government Reclamation.</i>	<i>Rate per Square foot which the Reclamation will cost to carry out.</i>
1,	197,707 Square feet,	\$ 374,232	\$1.89
2,	114,080 " 	310,854	2.72
3,	197,865 " 	345,233	1.73
4,	50,605 " 	153,044	3.02
5,	155,021 " 	270,690	1.74
6,	240,233 " 	440,315	1.83
7,	185,033 " 	251,860	1.36
Totals,	1,140,544 Square feet.	\$2,146,228	

RETURN No. 2.

Section 1.

ASSESSED VALUES OF THE BUILDING SITES TO BE RECLAIMED FOR AND ON
BEHALF OF THE MARINE LOT-OWNERS.

<i>Locality Opposite.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 188,	6,682 Square feet,	\$ 4.....	\$ 26,728
" 189,	11,553 "	4.....	46,212
" 190,	11,126 "	4.....	44,504
" 191,	11,173 "	4.....	44,692
" 184,	14,827 "	4.....	59,308
" 185,	17,813 "	4.....	71,252
" 186,	20,800 "	4.....	83,200
" 205,	18,760 "	4.....	75,040
" 204,	18,760 "	4.....	75,040
" 198,	24,720 "	4.....	98,880
" 199,	26,400 "	4.....	105,600
" 187,	15,093 "	4.....	60,372
Totals,	197,707 Square feet.		\$790,828

Section 2.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 81,	11,760 Square feet,	\$ 5.....	\$ 58,800
" 106,	11,860 "	5.....	56,800
" 94,	17,040 "	5.....	85,200
" 93,	21,120 "	5.....	105,600
" 92,	16,800 "	5.....	84,000
" 91,	16,800 "	5.....	84,000
" 90,	19,200 "	5.....	96,000
Totals,	114,080 Square feet.		\$570,400

Section 3.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 200,	20,620 Square feet,	\$ 7.....	\$ 144,340
" 200,	673 "	7.....	4,711
" 71,	31,860 "	7.....	223,020
" 71,	16,120 "	7.....	112,840
" 57,	18,560 "	7.....	129,920
" 57,	24,270 "	7.....	169,890
" 58,	19,200 "	7.....	134,400
" 58,	23,260 "	7.....	162,820
" 69,	15,680 "	7.....	109,760
" 69,	10,318 "	7.....	72,226
" 68,	6,242 "	7.....	43,694
" 68,	1,540 "	7.....	10,780
" 37,	9,522 "	7.....	66,654
Totals,	197,865 Square feet.		\$1,385,055

Section 4.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 238,	1,410 Square feet,	\$ 7.....	\$ 9,870
" 237,	887 "	7.....	6,209
" 236,	3,567 "	7.....	24,969
" 235,	2,556 "	7.....	17,892
" 234,	2,910 "	7.....	20,370
" 233,	3,206 "	7.....	22,442
" 232,	2,460 "	7.....	17,220
" 35,	3,740 "	7.....	26,180
" 227,	4,035 "	7.....	28,245
" 225,	25,834 "	7.....	180,838
Totals,..... 50,605 Square feet.			\$354,235

Section 5.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 224,	7,840 Square feet,	\$ 7.....	\$ 54,880
" 223,	5,920 "	7.....	41,440
" 222,	2,187 "	7.....	15,309
" 221,	2,187 "	7.....	15,309
" 220,	2,280 "	7.....	15,960
" 219,	2,187 "	7.....	15,309
" 218,	2,187 "	7.....	15,309
" 217,	2,187 "	7.....	15,309
" 216,	2,187 "	7.....	15,309
" 215,	2,187 "	7.....	15,309
" 214,	2,187 "	7.....	15,309
" 213,	2,187 "	7.....	15,309
" 212,	2,187 "	7.....	15,309
" 211,	2,187 "	7.....	15,309
" 210,	2,187 "	7.....	15,309
" 209,	2,253 "	7.....	15,771
" 208,	2,227 "	7.....	15,589
" 207,	2,227 "	7.....	15,589
" 206,	2,227 "	7.....	15,589
" 80,	2,227 "	7.....	15,589
" 79,	2,227 "	7.....	15,589
" 78,	2,227 "	7.....	15,589
" 77,	2,227 "	7.....	15,589
" 76,	2,227 "	7.....	15,589
" 75,	2,227 "	7.....	15,589
" 74,	2,227 "	7.....	15,589
" 73,	2,227 "	7.....	15,589
" 61,	2,227 "	7.....	15,589
" 60,	2,227 "	7.....	15,589
" 59,	2,227 "	7.....	15,589
" 51,	2,227 "	7.....	15,589
" 50,	2,133 "	7.....	14,931
" 49,	2,133 "	7.....	14,931
" 48,	2,133 "	7.....	14,931
" 47,	2,133 "	7.....	14,931
" 46,	2,133 "	7.....	14,931
" 45,	2,133 "	7.....	14,931
" 44,	2,133 "	7.....	14,931
" 41,	2,133 "	7.....	14,931
" 39,	2,133 "	7.....	14,931
" 38,	4,720 "	7.....	33,040
" 38,	90 "	7.....	630
" 21,	2,293 "	7.....	16,051
" 21,	100 "	7.....	700
" 22,	32,827 "	7.....	229,789
" 22,	5,852 "	7.....	40,964
" 63,	12,000 "	10.....	120,000
Totals,.....155,021 Square feet.			\$1,121,147

Section 6.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 63A,.....	15,160 Square feet,.....	\$10.....	\$ 151,600
" 56,	12,880 "	10.....	128,800
" 55,	13,240 "	10.....	132,400
" 54,	25,360 "	10.....	253,600
" 53A,.....	7,407 "	10.....	74,070
" 53,	7,407 "	10.....	74,070
" 18,	30,380 "	10.....	303,800
" 15,	16,160 "	10.....	161,600
" 14,	15,520 "	10.....	155,200
" 13,	14,613 "	8.....	116,904
" 12,	14,586 "	8.....	116,688
" 10,	5,547 "	8.....	44,376
" 10B,.....	6,213 "	8.....	49,704
" 10A,.....	14,880 "	8.....	119,040
" 62,	7,280 "	8.....	58,240
" 66,	6,960 "	8.....	55,680
" 99,	11,200 "	8.....	89,600
" 100,	15,440 "	8.....	123,520
Totals,.....240,233 Square feet.			<u>\$2,208,892</u>

Section 7.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Estimated Price per Square foot.</i>	<i>Value.</i>
Marine Lot 7,	32,200 Square feet,.....	\$ 8.....	\$ 257,600
" 7,	10,148 "	8.....	81,184
" 2C,.....	5,800 "	8.....	46,400
" 2C,.....	4,982 "	8.....	39,856
" 2B,.....	5,800 "	8.....	46,400
" 2B,.....	5,973 "	8.....	47,784
" 2A,.....	5,600 "	8.....	44,800
" 2A,.....	6,728 "	8.....	53,824
" 102,	14,533 "	8.....	116,264
" 102,	20,892 "	8.....	167,136
" 103,	14,840 "	8.....	118,720
" 103,	21,332 "	8.....	170,656
" 104,	14,658 "	8.....	117,264
" 104,	21,547 "	8.....	172,376
Totals,.....185,033 Square feet.			<u>\$1,480,264</u>

RETURN No. 3.

BEING A SUMMARY OF RETURN No. 2.

Section 1,.....	@ \$4.....	\$ 790,828
" 2,.....	@ \$5.....	570,400
" 3,.....	@ \$7.....	1,385,055
" 4,.....	@ \$7.....	354,235
" 5,.....	@ \$7.....	1,121,147
" 6,.....	@ \$8.....	2,208,892
" 7,.....	@ \$8.....	1,480,264
Total Values,.....		<u>\$7,910,821</u>

RETURN No. 4.

ESTIMATE OF THE COST OF SEA-WALL AND RECLAMATIONS IN FRONT OF THE GOVERNMENT
 PROPERTIES SHEWN TINTED YELLOW IN THE GENERAL PLAN, EXCLUSIVE OF THE
 SAILORS' HOME RECLAMATION. THIS OUTLAY TO BE DEFRAIDED BY
 THE COLONIAL GOVERNMENT.

Reclamation opposite the present Harbour Master's Office,—

15,520 Square feet @ \$3.38, = \$ 52,493.00

Reclamation opposite Marine Lot No. 63,—

40,685 Square feet @ \$1.91, = \$ 77,806.00

Reclamation opposite the present Central Market,—

23,040 Square feet @ \$2.01, = \$ 46,368.00

Reclamation opposite the City Hall,—

83,622 Square feet @ \$1.46, = \$122,088.00

Reclamation opposite the Cricket Ground,—

77,818 Square feet @ \$1.46, = \$113,614.00

Gross Cost of Government Works, = \$412,369.00

Deduct for old Materials from the present Sea-wall, 50,000.00

Net Cost of Government Reclamation Works, = \$362,369.00

RETURN No. 5.

ASSESSED VALUES OF THE SEA RECLAMATIONS OPPOSITE COLONIAL GOVERNMENT PROPERTIES
 SHEWN TINTED YELLOW ON GENERAL PLAN.

Proposed Reclamation opposite the Harbour Master's Office,—

15,520 Square feet @ \$7, = \$108,640.00

Proposed Reclamation opposite Marine Lot No. 63,—

40,685 Square feet @ \$10, = \$406,850.00

Proposed Reclamation opposite the Central Market,—

23,040 Square feet @ \$10, = \$230,400.00

Proposed Reclamation opposite the City Hall,—

83,622 Square feet @ \$8, = \$668,976.00

Proposed Reclamation opposite the Cricket Ground,—

77,818 Square feet @ \$5, = \$389,090.00

Total Value, = \$1,803,956.00

SUMMARY.

Value of new lands to be reclaimed opposite Government Properties, = \$1,803,956.00

Deduct Cost of Works, = 362,369.00

Net Profit to the Government, = \$1,441,587.00

RETURN No. 6.

Section 1.

RETURN OF THE ANNUAL QUIT-RENTS TO BE PAID BY THE MARINE LOT-OWNERS FOR THEIR
PROPOSED RECLAMATIONS.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 188,	6,682 Square feet,	\$ 122
" 189,	11,553 "	212
" 190,	11,126 "	204
" 191,	11,173 "	206
" 184,	14,827 "	272
" 185,	17,813 "	328
" 186,	20,800 "	382
" 205,	18,760 "	344
" 204,	18,760 "	344
" 198,	24,720 "	454
" 199,	26,400 "	484
" 187,	15,093 "	278
Totals,	197,707 Square feet.	\$3,630

Section 2.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 81,	11,760 Square feet,	\$ 216
" 106,	11,360 "	208
" 94,	17,040 "	312
" 93,	21,120 "	388
" 92,	16,800 "	308
" 91,	16,800 "	308
" 90,	19,200 "	352
Totals,	114,080 Square feet.	\$2,092

Section 3.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 200,	20,620 Square feet,	\$ 378
" 200,	673 "	12
" 71,	31,860 "	586
" 71,	16,120 "	296
" 57,	18,560 "	340
" 57,	24,270 "	446
" 58,	19,200 "	352
" 58,	23,260 "	428
" 69,	15,680 "	288
" 69,	10,318 "	190
" 68,	6,242 "	114
" 68,	1,540 "	28
" 37,	9,522 "	174
Totals,	197,865 Square feet.	\$3,632

Section 4.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 238,	1,410 Square feet,	\$ 26
" 237,	887 "	16
" 236,	3,567 "	66
" 235,	2,556 "	46
" 234,	2,910 "	54
" 233,	3,206 "	58
" 232,	2,460 "	46
" 35,	3,740 "	68
" 227,	4,035 "	74
" 225,	25,834 "	474
Totals,	50,605 Square feet.	\$ 928

Section 5.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 224,	7,840 Square feet,	\$ 144
" 223,	5,920 "	108
" 222,	2,187 "	40
" 221,	2,187 "	40
" 220,	2,280 "	42
" 219,	2,187 "	40
" 218,	2,187 "	40
" 217,	2,187 "	40
" 216,	2,187 "	40
" 215,	2,187 "	40
" 214,	2,187 "	40
" 213,	2,187 "	40
" 212,	2,187 "	40
" 211,	2,187 "	40
" 210,	2,187 "	40
" 209,	2,253 "	42
" 208,	2,227 "	40
" 207,	2,227 "	40
" 206,	2,227 "	40
" 80,	2,227 "	40
" 79,	2,227 "	40
" 78,	2,227 "	40
" 77,	2,227 "	40
" 76,	2,227 "	40
" 75,	2,227 "	40
" 74,	2,227 "	40
" 73,	2,227 "	40
" 61,	2,227 "	40
" 60,	2,227 "	40
" 59,	2,227 "	40
" 51,	2,227 "	40
" 50,	2,133 "	40
" 49,	2,133 "	40
" 48,	2,133 "	40
" 47,	2,133 "	40
" 46,	2,133 "	40
" 45,	2,133 "	40
" 44,	2,133 "	40
" 41,	2,133 "	40
" 39,	2,133 "	40
" 38,	4,720 "	86
" 38,	90 "	2
" 21,	2,293 "	42
" 21,	100 "	2
" 22,	32,827 "	602
" 22,	5,852 "	108
" 63,	12,000 "	220
Totals,	155,021 Square feet.	\$2,838

Section 6.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 63A,	15,160 Square feet,	\$ 278
" 56,	12,880 "	236
" 55,	13,240 "	244
" 54,	25,360 "	466
" 53A,	7,407 "	136
" 53,	7,407 "	136
" 18,	30,380 "	558
" 15,	16,160 "	296
" 14,	15,520 "	286
" 13,	14,613 "	268
" 12,	14,586 "	268
" 10,	5,547 "	102
" 10B,	6,213 "	114
" 10A,	14,880 "	274
" 62,	7,280 "	134
" 66,	6,960 "	128
" 99,	11,200 "	206
" 100,	15,440 "	284
Totals,	240,233 Square feet.	\$4,414

Section 7.

<i>No. of Lot Extension.</i>	<i>Area of proposed Reclamation.</i>	<i>Annual Quit-Rent calculated at \$200 per quarter Acre.</i>
Marine Lot 7,	32,200 Square feet,	\$ 592
" 7,	10,148 "	186
" 2C,	5,800 "	106
" 2C,	4,982 "	92
" 2B,	5,800 "	106
" 2B,	5,973 "	110
" 2A,	5,600 "	102
" 2A,	6,728 "	124
" 102,	14,533 "	266
" 102,	20,892 "	384
" 103,	14,840 "	272
" 103,	21,332 "	392
" 104,	14,658 "	270
" 104,	21,547 "	396
Totals,	185,033 Square feet.	\$3,398

RETURN No. 7.

BEING A SUMMARY OF RETURN No. 6.

	<i>Per Annum.</i>
Section 1,	\$3,630
" 2,	2,092
" 3,	3,632
" 4,	928
" 5,	2,838
" 6,	4,414
" 7,	3,398
Total Annual Quit-Rents,	\$20,932

RETURN No. 8.

ESTIMATED AMOUNT OF YEARLY REVENUE TO BE DERIVED BY THE COLONIAL GOVERNMENT
FROM RATES AND TAXES ON THE TENEMENTS TO BE BUILT ON THE PROPOSED
NEW RECLAMATIONS IRRESPECTIVE OF LAND RENTS.

Area of Building Ground,	26 Acres.
Number of Tenements to the Acre,	50
Total number of tenements,	1,300
Minimum Annual Rent of a Tenement on the Reclamation,	\$ 360.00
Total Annual Rents of 1,300 Tenements @ \$360 each, =	\$ 468,000.00
Rates and Taxes on \$468,000 at 13 per cent,	\$ 60,000.00

SUMMARY.

Annual Revenue derivable from Quit-Rents,	\$20,932.00
" " " from Rates and Taxes,	60,000.00
Total Revenue,	<u>\$80,932.00</u>

(12.)

(Colonial Secretary to Mr. Chater.)

No. 836.

COLONIAL SECRETARY'S OFFICE,
HONGKONG, 23rd June, 1888.

SIR,

Referring to previous correspondence on the subject of the proposed Praya Reclamation, I have the honour, by direction of the Governor to apprise you, for the information of the marine lot-owners concerned, that the preliminary surveys of the foreshore and sea-bed, undertaken by their desire have now been completed. The plans and estimates connected with this work are sent herewith.

The prolonged rainy weather during the beginning of the year, and the necessarily laborious nature of the investigations rendered it impracticable to complete these surveys at an earlier date.

In accordance with the desire of many of the lot-owners, the survey has been divided into seven sections, which owing to differences in the depth of water and in the configuration of the present frontage shew corresponding differences in the expense of the reclamations relatively to the areas of land reclaimed. This discrepancy is however to a certain extent neutralised by the fact that, speaking generally, the reclamation will be most costly where the reclaimed land is likely to be most valuable.

The estimates of the cost of reclaiming the several sections, exclusive in each case of the Government reclamation, are as follows :—

Section 1	\$374,232
" 2	310,854
" 3	345,233
" 4	153,044
" 5	270,690
" 6	440,315
" 7	251,860

I am however to point out that these estimates of cost are to be taken as only approximate. They will be subject to revision when the competitive tenders are received for the contracts, and they may also require to be modified in accordance with whatever directions Her Majesty's Government may give in respect of the contemplated works in the event of their approval of the scheme as a whole.

As the shipping and landing facilities of the Port would be too seriously obstructed by the carrying out of the reclamation works along the entire line of foreshore, I am to request you to be good enough to inform the lot-owners that only two, or at the most three of the sections can be undertaken at the same time, and that commencement will probably be made with those sections at the extreme ends.

With a view to carry out that part of the general scheme which consists of the widening of the present Praya roadway, His Excellency finds that it will be necessary to repurchase from the Kowloon Wharf and Godown Company, Limited, a portion of the reclamation conceded to them in 1886 before the question of a continuous reclamation was mooted; and as this necessity has arisen only in connection with the present scheme, His Excellency is of opinion that the cost, involving a sum of \$104,000 should be added to the general cost of the work, and borne proportionately by the different owners of frontage, the Government included. The amount of this cost has therefore been added to the estimates of total cost above given.

His Excellency notices that, making a liberal allowance for the cost of the work to be done, the private lot-owners will be charged an estimated sum of \$2,146,228, in return for which they will receive for their private use and ownership twenty-six and one-fifth acres of building sites (charged only with an annual Crown Rent of \$800 per acre) which according to the present market price of land means an estimated total value of \$7,910,821, in other words that they will reap an estimated profit of \$5,764,593. This estimate however is based on the present value of frontage land, and would probably require to be increased if the fact were taken into account that there would be deep water along the whole of the new frontage thus rendering the land upon it free of the unwholesome exhalations which proceed from the present foreshore, and also saving great expense in lighterage and in the cost of wharves by affording free access to vessels and boats.

But however this may be, as the profit is likely in any case to be far larger than would be the compensation awarded by arbitrators to the existing owners of frontage for the loss of that frontage and the conversion of their marine lots into inland lots, His Excellency deems it possible that Her Majesty's Government may be of opinion that the whole of the work should be done at the public expense for the public profit, and this view, His Excellency thinks, will be rendered the more probable in proportion to the difficulty of coming to terms with those to whom so great a concession is offered. Indeed, speaking for himself and without reference to the opinion which may be formed by Her Majesty's Government, with whom rests the ultimate decision, His Excellency does not regard universal concurrence in the scheme on the part of the lot-owners of such importance as to outweigh the advantage to be gained by the public in carrying out at its own cost the reclamation in front of the lands of the dissentients.

In this connection with a view to obviate wrong inferences in the future, His Excellency desires it to be understood that if this scheme is sanctioned on the terms proposed, the marine lot-holders will obtain the reclamations in front of their lots, not as a matter of right, but simply as a privilege the concession of which happens to be convenient. The foreshore belongs to the Crown; and to the Crown alone belongs the right of reclamation and of ownership in the land reclaimed, the only obligation attaching to the latter being that of compensating the frontage-owner for the difference, if any, between the value of his marine lot and the value of the same land converted into an inland lot by the reclamation in front of it.

As the Governor is anxious to lose no time in transmitting the plans, estimates and other papers connected with this project to the Secretary of State for the Colonies, His Excellency desires me to request you to be good enough to favour me with the final reply of the lot-owners interested at your early convenience.

I have, &c.,

FREDERICK STEWART,
Colonial Secretary.

The Honourable C. P. CHATER.

(Mr. Chater to Colonial Secretary.)

HONGKONG, 4th July, 1888.

SIR,

I have the honour to acknowledge receipt of your letter, No. 836, of the 23rd June last in which referring to previous correspondence on the same subject, you informed me, by direction of His Excellency the Governor, that the preliminary surveys of the fore-shore and sea-bed undertaken by desire of the Marine Lot-holders and paid for by them in connection with the Praya Reclamation Scheme were completed, that plans and estimates for the work were forwarded therewith and in which further you requested me to ascertain as speedily as possible the final reply of the Marine Lot-holders interested to the Government proposals.

I have now the honour to inform you, for the information of His Excellency, that, at a meeting of the marine lot-holders held at the City Hall on Tuesday, the 3rd instant, the plans and estimates were laid before them and it was unanimously resolved to accept the proposals of the Government embodied in your letters of the 11th August and 18th November, 1887, and in that of the 23rd June, 1888, now under reply, and to authorize the Government to proceed at once with the work the lot-holders undertaking to find the necessary funds under the terms of the Agreement.

I hand you for the information of His Excellency a full report of the meeting and of the Resolutions passed thereat.

This happy termination of the negotiations so long pending relieves me from all necessity of replying in more detail to the 9th and 10th paragraphs of your letter in which His Excellency gives expression to views as to the position of the Government and as to the rights of marine lot-holders and I have only, in conclusion, to offer my congratulations to His Excellency and to the Government of the Colony on the completion of this Agreement which will as I firmly believe benefit the Government and the public as much as it benefits the marine lot-holders. It will add largely to the available building area in the city thus relieving the threatened congestion of the population and improving the sanitary condition. It will afford immensely increased facilities to the trade and commerce of the Colony, by increasing the depth of water along so large an extent of the marine frontage, by the greater width of the new streets and Praya and by the construction, now for the first time rendered possible, of the low level tramways.

It will considerably augment the revenue derived from Crown Rents and from the taxation on 1,300 new houses. It will give to the Crown for sale, or for public purposes 5 acres of land worth after all expenses of reclamation are paid, over two millions of dollars. All this will be done at the expense of the marine lot-holders, without responsibility or expense on the part of the Government as a Government, and without raising any of the many troublesome questions about vested rights or still more troublesome claims to compensation that under other circumstances, must surely arise.

I have the honour to be,

Sir,

Your most obedient Servant,

C. P. CHATER.

The Honourable F. STEWART, LL.D.,

Colonial Secretary.

(Colonial Secretary to Mr. Chater.)

No. 922.

COLONIAL SECRETARY'S OFFICE,
HONGKONG, 7th July, 1888.

SIR,

I am directed by the Governor to acknowledge the receipt of your letter, dated 4th July, conveying information of the result of the recent meeting of marine lot-holders.

While the unanimity of the lot-holders is so far satisfactory that it would render comparatively easy the carrying out of the proposed scheme of Reclamation by means of private funds, His Excellency desires me to point out that this unanimity must not be regarded as settling the question either as to the permission of the contemplated Reclamation or, if it be permitted, as to the mode of carrying it out. As mentioned in my letter of 23rd ultimo, the final decision on these two points rests with Her Majesty's Government. The view taken on the first will probably depend on the advice of the marine engineers who may be consulted on the subject; and the judgment on the second will no doubt be largely influenced by legal opinions obtained with respect to the rights of the marine lot-holders.

His Excellency deems it right to repeat thus emphatically his reference to the necessity of sanction by Her Majesty's Government, not merely because some passages in your letter seem to imply inadequate appreciation of this requisite condition, but in order to preclude losses from speculative land purchases made in the belief that that is certain which is by no means certain.

I am to add that whatever may be the ultimate decision, the part which you have taken in initiating the scheme, and the fact of the preliminary surveys having been at the expense of the lot-owners will not of course be omitted from consideration.

I have, &c.,

FREDERICK STEWART,
Colonial Secretary.

The Honourable C. P. CHATER.

*Minute by the Governor for the Surveyor General respecting the
Praya Reclamation Scheme.*

1. In my minute for the letter of the Colonial Secretary to Mr. CHATER, dated 23rd June, 1888, I expressed a doubt whether Her Majesty's Government may not be of opinion that this work should be done by the Government for its own benefit, and the more I think of the subject the more doubtful I become on this point, and the less certain I am that they would be justified in sanctioning the scheme on the terms proposed, at least without the requirement of a large premium per acre from the frontage lot-owners. As I believe the Surveyor General entertains strong views in favour of the proposed scheme as a whole, including the remission of premium. I should be glad to receive a clear statement of his view, with the object of removing my doubts, before the meeting of lot-owners takes place.

2. The only reason that appears to me against the undertaking of the work by the Government, is the speculative nature of the project, and the elements of uncertainty which render it speculative appear to be three:—(1.)—The cost of the execution of the work, (2.)—the value of the land to be reclaimed, and (3.)—the amount of compensation which would have to be paid to the owners of the existing frontage.

3. (1.) Can, I presume, be ascertained with certainty before the work is commenced, by means of the tenders sent in, and as the responsibility of both design and supervision will in any case fall upon the Government as well as the acceptance of the tenders, I am not sure whether the liability for any failure on the part of the contractors would not rest with the Government in any case. If this were so, it would seem that the element of speculation on this score would be as great when the work is not done for the direct benefit of Government, as if were done for its direct benefit.

4. As regards (2), I should be glad to know more exactly the data for the estimate of \$7,910,821 which deducting estimated cost would give to the existing lot-owners an estimated profit of over five and a half millions of Dollars. If the work were done by the Government for its own benefit this profit would of course be lessened by the amount of (3). But it seems to me that the element of speculation on this score would be almost altogether removed by the manner in which it is now proposed that the work should be done. By doing the work in sections, one or at most two at a time, it would be possible to ascertain with a near approach to certainty, what the profit or loss would be, and the decision of the question would be left open to discretion whether the work were proceeded with or not. It seems scarcely conceivable however that so large an amount as \$5,764,593 is not a sufficient margin to cover all contingencies and leave a large profit in addition.

5. These considerations are certain to occur to the Secretary of State, and it is well to anticipate them by a completely satisfactory answer which, I confess, at the present moment I do not see my way to give.

Though I shall require a written reply from Mr. PRICE, I fear that at the present moment he may be more than usually overwhelmed with work, in consequence of the late destructive storm; and it might be well therefore that he should now give me his views orally, in order that I may be quite satisfied whether I should not make some further communication of my doubts to the lot-owners before their Meeting on Tuesday next.

G. WILLIAM DES VŒUX.

27th June, 1888.

(16.)

(Surveyor General's Report on Governor's Minute of the 27th of June, 1888.)

1. In reply to His Excellency the Governor's Minute of the 27th of June, 1888, I deal first with the questions raised in paragraph 3:—

- (a.) The cost of the work has been ascertained by means of the Public Works Department schedule of prices, and would be confirmed by the tenders when these come in.
- (b.) The responsibility of design and supervision will fall upon the Government as well as the acceptance of tenders, but liability for failure on the part of the Contractors would be provided against in the usual way *i.e.* : by requiring from such Contractors a preliminary money-deposit by way of security for the proper completion of their contracts. Moreover, from every payment for work done a drawback of 15 or 20 per cent. can be retained in the hands of the Government.
- (c.) Contracts must contain the provision that all damage from typhoons during the progress of the works and for twelve months after their completion, shall be made good by the Contractors at their sole expense.

- (d.) The preliminary money deposit coupled with the foregoing guarantees will protect the Government against any liability; the arrangement may of course tend to raise the price of the work, for timid contractors especially will charge for these risks, but the increase in the expense will fall on the lot-owners. This cannot be helped. At whatever cost to others the Government must protect itself against liability in any shape or form, except of course in respect of its own reclamations opposite Government lots, and there the Government must accept risks like any other lot-owner.

The foregoing safeguards will do away—as regards the Government—with any speculative element that may appear to exist if the work is done for the lot-owners, but if the Government does the work for itself it must take on itself whatever risks and uncertainties there may be in the venture, and itself become the speculator.

A printed contract will have to be entered into between the Government and each individual lot-owner by which as already stated the Government must be protected absolutely against any liability.

2. The assessment of values (\$7,910,821) of the new lands to be reclaimed from the sea is based on the prices at present ruling in the leasehold-estate market in this Colony, and may be accepted as correct. Each allotment of reclamation has been appraised at the market value of the piece of land immediately behind it. The figures are given in great detail in a voluminous Appendix to my letter to the Colonial Secretary of the 1st of June, 1888. I requested Mr. CHATER to give me his ideas as to the price of land along the Praya, independently of my own appraisals, and I found the discrepancies between us were trifling and limited only to two of the Sections.

3. If the Government were to carry out the reclamation on its own account, the profit would of course be lessened by the amount of compensation to be paid to the present marine lot-owners; that is to say the \$5,764,593 would be materially reduced, though it is certain it would not disappear entirely since it is impossible to conceive that the claims for compensation could amount to anything like this sum. But whatever profits may be left, large or small, after paying off all indemnities, the Governor considers such profits might more fitly go into the Colonial Treasury than into the pockets of the marine lot-owners, and on this account His Excellency thinks the work might be done by the Government on its own account and for its own benefit, more especially in view of the fact that the doing of the sections by piecemeal reduces risk and limits the consideration of possible claims to small groups at a time, and thus gives an opportunity to advance or recede as the Government may elect hereafter. As regards risks of injury to the work by typhoons I consider such risks would be the same in either case, for the sections would be quite as liable to be injured or destroyed if carried out one after the other in detail as they would be if done as a whole at the same time.

4. The main advantage would therefore be in the having to deal only with a small number of marine lot-owners' claims at one time, and with regard to marine lot-owners' claims, I do not find in the whole of these papers or in the many oral discussions that have taken place in connexion with this proposed scheme of Reclamation that the Governor has ever had a legal opinion as to the rights of the Crown in respect of foreshores opposite lands leased to individuals.

5. Briefly recapitulated the Government contention has always been that the foreshore is the property of the Crown absolutely, that the Crown has the right to reclaim the sea, at the public expense, in front of the premises of any marine lot-owner and to interpose fresh building sites between those premises and the sea, subject to the payment of such compensation to the lot-owner as may be due him for losses or injury accruing by the interposition of such new lands and of buildings erected thereon.

6. As set forth by Mr. FRANCIS, Q.C. the contention of the marine lot-owner (doubtless put into his head by Mr. FRANCIS himself) is: that in granting him a marine lot-lease for 999 years the Crown has invested him for that term with an indefeasible right (by way of easement), of direct access to High Water Mark, from which access the Crown has no legal power to cut him off. He

contends that the shore may silt up from natural causes, or it may—with the concurrence of himself—be reclaimed by the Government, and that the land thus silted up or artificially formed may be absolutely the property of the Government, but that the Government, cannot without trespass on the legal rights acquired by him under his marine lease, utilize such land for building or put it to any other uses.

7. If there be anything in the contention of Mr. FRANCIS it is clear that the Governor would not have the power to carry out the Reclamation at the public expense for the public benefit, and His Excellency would have no option but to adhere to the present plan and give the lot-owners whatever benefit may accrue to them under the scheme after reserving one half their reclamation for public roads. Would it not be desirable in these circumstances to obtain the Attorney General's opinion on the opinion of Mr. FRANCIS?

It seems to me that before the Governor can be in a position to make any specific recommendation to the Secretary of State in the matter of these Reclamations His Excellency must have this point as to the alleged rights of marine lot-owners thoroughly cleared up.

8. I entertain a strong view in favour of the proposed scheme as a whole for the reasons set forth at such great length in my Report to the Acting Governor (General CAMERON) dated the 18th of July, 1887, (C.S.O. $\frac{1607}{1887}$) and in view of the dearth of building sites in the town and of the appalling yearly inundation of Chinese from the mainland which is likely to culminate in an epidemic that will engulf the Colony unless steps are taken to build more houses, I consider that the Colonial Government should not stop short at a mere acquiescence in the scheme but that it should—in its wisdom—go much farther and hold out such inducements to the marine lot-owners as will secure the earliest possible realization of the scheme by private enterprise in the manner proposed.

9. For reclamations from the sea made hitherto at the expense of the marine lot-owners the Government of Hongkong has never charged premium in money. It has contented itself with premium in land. In the proposed Reclamation, the total area proposed to be recovered from the sea will be nearly 58 acres, of which five will be Government property and the remaining 53 will be private property. Of these 53 acres of private reclamation the Government proposes to take for public roads 26 acres and will leave the marine lot-owners nearly 27 for their own use. For the filling in of the 26 acres to be taken away from them, these people will have to expend no less a sum than \$1,000,000. Of course it may be said that in devoting this million of dollars to the construction of roads and streets the lot-owners are benefiting themselves equally with the public, inasmuch as wide and handsome streets will be sure to enhance the value of their reclamations. On the other hand does not the Public benefit very largely by the creation of these proposed roads reclaimed for them from the sea at enormous cost but towards which they contribute nothing?

10. It may be that in order to secure the early realization of this scheme at the expense of the marine lot-owners and not of the Colonial Treasury I may have counselled over liberal terms. If I have done so it has been because of the great urgency of new building sites for the relief of a population congested to a degree that cannot but cause anxiety to thinking minds, and because of the risk of the scheme being deferred to an indefinite date in the future if claims and litigation come to interpose between the intention of the Government to do the work on its own account and the actual realization of that intention.

11. As however it seems to me that the question as to who shall carry out the work and reap the full benefits from it, wholly pivots on the correctness or otherwise of the contention of the marine lot-owners as explained by Mr. FRANCIS, His Excellency will no doubt wish to have this point cleared up before going further in the matter and I would therefore advise that the papers be referred to the Attorney General for his consideration and opinion on this particular point.

J. M. PRICE.

28th June, 1888.

(Opinion by the Attorney General.)

I have considered the questions raised by Mr. PRICE in his minute of June 28th 1888, and more particularly paragraphs 5 and 6 of that minute. Those paragraphs are as follows :—

5. Briefly recapitulated the Government contention has always been that the foreshore is the property of the Crown absolutely, that the Crown has the right to reclaim the sea, at the public expense, in front of the premises of any marine lot-owner and to interpose fresh building sites between those premises and the sea, subject to the payment of such compensation to the lot-owner as may be due him for losses or injury accruing by the interposition of such new lands and of buildings erected thereon.
6. As set forth by Mr. FRANCIS, Q.C. the contention of the marine lot-owner (doubtless put into his head by Mr. FRANCIS himself) is : that in granting him a marine lot-lease for 999 years the Crown has invested him for that term with an indefeasible right (by way of easement), of direct access to High Water Mark, from which access the Crown has no legal power to cut him off. He contends that the shore may silt up from natural causes, or it may—with the concurrence of himself—be reclaimed by the Government, and that the land thus silted up or artificially formed may be absolutely the property of the Government, but that the Government, cannot without trespass on the legal rights acquired by him under his marine lease, utilize such land for building or put it to any other uses.

I am of opinion that the contention of the Government as described in paragraph 5 of this minute is, with the exception of the bare statement that the foreshore is the property of the Crown, erroneous in point of law, and that the opinion of Mr. FRANCIS as stated in paragraph 6 though it would be correct if taken to apply only to such of the so-called marine lots as have an actual frontage along the sea-shore is not correct when applied to the great majority of so-called marine lots, which have, as I am told, frontages abutting not on the sea-shore but on the existing Praya road. That road is Crown land, and completely cuts off the lots from the shore : it makes them in fact road-side lots and not sea-side lots. They are not riparian property, that is to say property with a water frontage, and it appears to me that their owners have not as such any of the strict legal rights of riparian owners.

But although the owners of these lots have not as such the strict legal rights of riparian owners I think that the Government would still be bound to consider their position with a view to fair compensation for the injury that their property would suffer by the carrying out of the proposed works. These lots being very near the sea and separated from it only by a road-way have obviously a special value, and pay higher Crown rent in consequence and to remove them from the neighbourhood of the sea by carrying the reclamation out in front of them and building thereupon would greatly lower that value.

The difference between the two cases is that whereas in the former the Government in carrying out a reclamation would be committing an actionable wrong and subjecting itself to a claim for unliquidated damages, in the latter it would not be interfering actionably with any legal rights and would be free to pay compensation rather as a matter of grace and equity and upon such terms as it might consider fair having regard to the interests of the public and of the lot-holders respectively.

EDWARD L. O'MALLEY.

2nd July, 1888.

(*Pier Owners to Colonial Secretary.*)

HONGKONG, 5th July, 1888.

SIR,

We have the honour to request that you will bring the following circumstances to the notice of His Excellency the Governor.

1. On perusing the recent despatch addressed to the Honourable C. P. CHATER on the subject of the proposed Praya Reclamation Scheme, we fail to notice any reference to the privately owned wharves which now occupy positions along the foreshore, and which, in the progress of events must necessarily be destroyed, should the Scheme be carried out.

2. From the very inception of the idea up to the present time, it has been understood that compensation in full would be given to the owners of such wharves before demolition, and the expense included in the general cost of the works: moreover, it was believed that wharf-owners would be granted permission to erect piers attached to the new sea-wall, (in positions corresponding to those they now occupy) adapted for the carrying on of their business, provided that such structures should be deemed suitable to the new state of things by the Surveyor General. We venture to think that the justice of such a course will, after due consideration, be admitted by the Government.

3. It is true that whenever permission to erect a wharf has been granted, the applicant for such permission has been required to sign a guarantee that he will remove the said wharf at his own expense, if called upon to do so by the Government and we fully admit the general propriety of this practice, which places wharves in their correct position as encroachments on Crown property; at the same time we would respectfully submit that the spirit which dictated such restrictions never presupposed a condition of affairs such as the present. We can well imagine the Government informing a wharf-owner that the public convenience demanded the erection of a public wharf on his site, or that his frontage must be filled in, and the land used for the erection of public works or buildings, and in such a case exception could not well be taken, even though the individual loss might be heavy.

4. The present circumstances however are widely different from the above, inasmuch as the Reclamation Scheme stands upon a basis of "profit;" it is reasonable to suppose that if the value of land reclaimed did not greatly exceed the cost of reclamation, the undertaking would never have received serious consideration.

5. The profit estimated to accrue on the whole, amounts we observe, to the gigantic sum of \$5,764,593.00, and without further argument, we would venture to suggest that it is an injustice, and an act akin to confiscation, to utterly destroy the existing property of one section of the community for the sole purpose of increasing the, in any case, enormous gains of another.

6. The proposed system of conducting the reclamation, appears to us to put the Scheme on an entirely different footing to what would obtain if the Government accomplished the work themselves. For the work, as proposed, becomes more of a private than a public character, seeing that individuals reap the major pecuniary benefit, and not the Government. On these grounds it may, with force, be urged that the destruction of our wharves is not a public necessity and therefore hardly comes within the pale of the guarantees given on their erection.

7. We are aware that, in strict accordance with the law, the Government have the power to insist on the fulfilment to the letter of the guarantees, but, under the circumstances, the equity of the case should surely be considered, and we venture to hope that the matter when represented to His Excellency the Governor, will induce him to carefully weigh the point we have raised which being comparatively of inferior importance, may have only received passing notice.

8. We would add that we believe a sense of justice would induce the majority of Marine Lot-holders to approve of compensation to Wharf-owners being charged to the general cost of Reclamation, and under present arrangements it seems that Marine Lot-holders are the parties chiefly interested.

9. There is another point we would bring to His Excellency's notice. We are given to understand that almost all the moorings now laid in the Harbour will have to be moved some 250 feet from South to North. The expense of this to individuals will not be heavy, but the aggregate will amount to an appreciable sum, as the cost of shifting each mooring will average \$200 to \$250. Should not the expense of this also be included in the general estimate of cost of the Reclamation?

We have the honour to be,

Sir,

Your obedient Servants,

THOS. ARNOLD,

Secretary,

*Hongkong, Canton & Macao Steam-boat
Company, Limited.*

p.p. DOUGLAS LAPRAIK & Co.,

T. E. DAVIES,

General Managers, Douglas S.S. Coy., Ltd.

BUTTERFIELD & SWIRE,

Agents, China Navigation Coy., Ltd.

The Honourable F. STEWART, M.A., LL.D.,

Colonial Secretary.

(Colonial Secretary to Pier Owners.)

No. 956.

COLONIAL SECRETARY'S OFFICE,

HONGKONG, 13th July, 1888.

GENTLEMEN,

With reference to your letter of the 5th instant, on the question of private wharves in connection with the proposed Praya Reclamation, I am directed by the Governor to inform you that your letter deserves, and will receive, His Excellency's careful consideration.

I am to add that in order to know what is involved in this question His Excellency would like to know the original cost and to have an estimate of the present value of your respective wharves, and also an estimate of the cost of building new ones.

I have, &c.,

FREDERICK STEWART,

Colonial Secretary.

THOS. ARNOLD, Esq.,

Secretary,

Hongkong, Canton & Macao Steam-boat Coy., Ltd.

Messrs. DOUGLAS LAPRAIK & Co.,

General Managers,

Douglas Steam-ship Coy., Ltd.

Messrs. BUTTERFIELD & SWIRE,

Agents,

China Navigation Coy., Ltd.

(Pier Owners to Colonial Secretary.)

HONGKONG, 17th July, 1888.

SIR,

We have the honour to own receipt of your letter, No. 956, of the 14th instant, in which you inform us that His Excellency the Governor has promised to give that consideration to the question of our respective Wharves, now fronting the Praya—should their removal become necessary owing to the adoption of the contemplated reclamation scheme—which the importance of the case demands.

You desire to be informed as to the cost of our respective Wharves, which we have much pleasure in giving below. In connection therewith, we venture to remind His Excellency that the cost of our Wharves does not represent the loss we should sustain if it be decided to remove, and not reinstate them on completion of the Praya extension. The absence of these special Wharfage facilities would mean almost annihilation of our respective trades.

As to the cost of re-building these Wharves on completion of the new Sea Wall, it is not easy to furnish an estimate unless we are provided with details shewing the soundings, and nature of the bottom ; but we think a fair estimate would be that they would cost double the amount of the present erections.

First cost of the following Wharves :—

Hongkong, Canton & Macao Steam-boat Company, Limited,...	\$20,000.00
Douglas Steam-ship Company, Limited,	20,000.00
China Navigation Company, Limited,	26,824.94

The present value of the respective Wharves, we consider, is not less than their first cost, for the structures have been, and are, thoroughly kept up, at a considerable annual outlay.

We have the honour to be,

Sir,

Your most obedient Servants,

THOS. ARNOLD,

Secretary,

*Hongkong, Canton & Macao Steam-boat
Company, Limited.*

p.p. DOUGLAS LAPRAIK & Co.,

T. E. DAVIES,

General Managers,

Douglas Steam-ship Company, Limited.

BUTTERFIELD & SWIRE.

Agents,

China Navigation Company, Limited.

The Honourable F. STEWART, M.A., LL.D.,

Colonial Secretary.

Draft Reclamation Ordinance.

WHEREAS the foreshore of the Harbour of Victoria is in process of silting up to the detriment of the health and commerce of the Colony, and it is expedient to put a stop to such process and to provide a deep water frontage; and whereas the area of level land for building and for roads and quays and open spaces along the sea front of the City of Victoria is insufficient to meet the growing wants of the Colony, and it is expedient to enlarge the same: Be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

1. The works authorized by this Ordinance and all works for the effectual and convenient carrying out of the same are declared to be works for a “public purpose” within the meaning of that term as contained in the Crown leases of lands in the Colony.

2. Subject to the provisions and for the purposes of this Ordinance, it shall be lawful for the Governor to carry out the works authorized by this Ordinance according to the plans and drawings signed by the Surveyor General, countersigned by the Governor and now deposited in the Land Office, and such plans and drawings shall remain in the said Office and shall be open to public inspection at convenient hours.

In carrying out the works it shall be lawful for the Governor to deviate in respect of details to any extent that shall not materially alter or affect the general design set forth in such plans and drawings.

3. The works authorized by this Ordinance comprise the following, that is to say:

- (a.) The making of an embankment along the harbour front of the City of Victoria with all necessary and convenient walls, drains, wharves, piers, landing places, approaches and other conveniences and works; such embankment to commence Westward at a point upon the sea-shore opposite the Gas Works, and to terminate Eastward at a point opposite to Murray Pier; the said embankment to be constructed in whole or in greater part upon the bed or foreshore of the harbour.
- (b.) The making upon the said embankment of a public marine road-way not less than seventy-five feet, and the widening out of the present Praya road-way to a width of not less than sixty-five feet, with all necessary and convenient approaches to the same.
- (c.) The reclaiming and enclosing and filling up so much of the foreshore and bed of the Harbour as lies between the present Praya Wall and the intended embankment, to such heights and levels as may be determined by the Governor.

4. For the purpose of effecting the works authorized by this Ordinance it shall be lawful for the Governor to remove, destroy, alter, divert, stop up, or enclose such streets, drains, void ground, wharves, piers, landing places, and other things as shall in the judgment of the Governor be necessary to be done for the purposes of this Ordinance.

5. All the land and foreshore and bed of the sea to be reclaimed under this Ordinance, and all the land occupied by the present Praya along the line of the intended reclamation, shall be deemed to be absolutely the property of the Crown, free from any restriction whatever, and the Governor shall have power, subject to the special provisions of this Ordinance, to deal with the same and to dispose of the same for building or any other purpose in the same way and to as full an extent as in the case of other Crown lands; and all property, estate, rights or supposed rights and easements or supposed easements of any persons or class of persons, whether Crown leaseholders or licensees or otherwise, to the user or possession or occupation of, in, over or in any way in relation to such land, foreshore, bed of the sea embankment, reclamation or praya, or in relation to any wharf, landing place, pier or other place, situate thereupon, are hereby declared to be absolutely extinguished and determined.

MEMORANDUM OF AGREEMENT made this day of
1888 Between
Acting for and on behalf of the Government of Hongkong (herein-
after called the Government) of the one part and

part. WHEREAS the said Crown Lessee of Marine Lot No. (hereinafter called the Crown Lessee) of the other part, and has declared his readiness to contribute for the works authorized by Ordinance No. of 188 the sum of \$ and to enter into the Agreement hereinafter contained provided that the Government will grant to him a Crown Lease of that portion of the Reclamation provided for by the said Ordinance hereinafter more particularly described as hereinafter mentioned.

NOW IT IS HEREBY AGREED by and between the parties hereto as follows :—

1. The said shall
contribute towards the works authorized by the said Ordinance the
sum of \$ of which \$ (25 %) have been this day
paid by the said to the
said Government as a guarantee for the due performance by the said
of this Agreement.

2. The sum of \$ _____ being the balance of the said contribution shall be paid by the said _____ to the said Government in such instalments and at such times as shall be required by the said Government provided that 10 days' previous notice in writing of each such payment being required shall be given by the said Government to the said _____.

or to his Agent in Hongkong or left at his or their last known place of abode in Hongkong.

3. If the said _____ shall make default in payment of any instalment as hereinbefore provided the said guarantee and all instalments previously paid by him and all his rights under this Agreement shall be forfeited And if the said _____ shall make default in taking up a Crown Lease, in the manner hereinafter provided, of that portion of the Reclamation hereinafter more particularly mentioned his right thereto and all other rights under this Agreement and all moneys paid by him thereunder shall also be forfeited.

4. Upon completion of the works authorized by the said Ordinance and upon payment by the said _____ of the whole of the said balance of \$ _____ the Government will grant to the said _____ a Crown Lease of all that portion of the Reclamation provided for by the said Ordinance as is delineated on the plan hereunto annexed and thereon colored Red.

5. The Crown rent to be reserved by the said Crown Lease for the said portion of the Reclamation shall be at the rate of \$200 per quarter acre.

6. The said Crown Lease so to be granted as aforesaid shall provide that

(a.) Any buildings to be erected by the said on the said portion of Land to be leased to him as aforesaid shall be erected subject to the following structural provisions as to light space and ventilation :—

Houses of a depth of 50 feet or less shall have 10 foot yards.

Do.	do.	from 50 to 60 feet	do.	11	do.
Do.	do.	from 60 to 70 feet	do.	12	do.
Do.	do.	from 70 to 80 feet	do.	13	do.
Do.	do.	from 80 to 90 feet	do.	14	do.
Do.	do.	from 90 to 100 feet	do.	15	do.

and no private lane on which any such buildings shall front shall be of a less width than 15 feet.

(b.) Every habitable room in every building to be erected as aforesaid shall have at least one window opening out into the external air and such window or if more than one such windows shall be of a size not less than one tenth of the floor area of such room.

(c.) Every building to be erected as aforesaid which shall be used as a dwelling shall be furnished with a suitable privy to be placed in the back yard.

IN WITNESS whereof the said parties to these presents have hereunto set their hands the day and year first above written.

(C.)

Name of Registered Crown Leascholder.	Registered Number of Marine Lot.	Amount of Contribution.

Memorandum by the Attorney General.

The Draft Ordinance makes provision for the Praya Reclamation Scheme upon the first of the two alternative plans proposed, and follows very much the lines sketched out in my memorandum of July 21st, 1888.

Clauses 2 and 3 are formed on the assumption that the plans of the proposed works will be completed and deposited in the Land Office before the Ordinance is passed.

Clause 5 is intended to make it clear that owners of lots on the proposed new Praya will have no easement in respect of the sea in front.

The arrangements with the marine lot-holders are provided for in clause 6. I understand from the Surveyor General that there would be no lot-holders who would refuse to enter into the proposed agreements, and there seems therefore no necessity to provide any special plan for assessing and meeting the claims of such persons.

If there should turn out to be any such persons their position under the Ordinance will be simply that they will get nothing.

But if it were thought desirable to make provision under which something might be allowed them a clause of two or three lines might be added as a third paragraph to Section 6 in the following terms :—

“In case any such Crown lease-holder declines to enter into any agreement in manner above provided he shall have no claim to any compensation in respect of any depreciation of his lot by reason of the works to be carried out under this Ordinance but the Governor may if he thinks fit award to him such a sum of money or such a Crown lease of new land as he may in his absolute discretion think sufficient as and by way of compensation for any injury that such lot-holder may have sustained by the works.”

I understand also that the owners of the Wharf and Godown Company's wharves claim nothing except what would be covered by the grant of new land that they will receive under the ordinary agreement in respect of their marine lots and that all other wharf-owners are mere licensees who can also be provided for without compensation except such as they get under the schedule agreement in respect of their lots.

The Schedule Agreements and Plan will determine the details of the compensation that may be agreed upon and will settle the area of land to be given as additions to existing lots and the amount of premium if any and rent to be paid.

EDWARD L. O'MALLEY.

August 1st, 1888.